

CALIFORNIA STATE LEGISLATURE

Senate Judiciary Committee

2019 Legislative Bill Summaries

Editor's Note:

During the 2019 legislative session, 278 bills were referred to the Senate Committee on Judiciary. This report contains summaries of bills referred to the Senate Judiciary Committee in 2019, the first year of the 2019-2020 legislative session. Some of these bills were signed into law by the Governor, some were vetoed, and others stalled in the legislative process. Bills that were passed by the Legislature and became law are followed by the chapter number and year enacted. For bills that are still in the legislative process, the bill's current location in the legislative process is shown. Since this is the first year of the legislative session, bills that have stalled may move forward in 2020. Veto messages are included for bills vetoed by Governor Gavin Newsom.

Bills are listed categorically based on the main subjects of the bill. Some bills could have been placed in several subject categories; an effort was made to place each bill in the most appropriate categories.

For additional information regarding a particular bill and its legislative history, please visit: <https://leginfo.legislature.ca.gov>.

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ADMINISTRATIVE LAW

SB-229 (Hertzberg) - Discrimination: complaints: administrative review.

This bill elaborates on the appeal and enforcement mechanisms that are available when the Labor Commissioner issues a citation to an employer for violating the Labor Code's anti-retaliation provisions. Most significantly, the bill spells out what happens in the event that the employer does not comply with the citation voluntarily: the Labor Commission may convert the citation into a court judgment and a judicial order for injunctive or other non-monetary relief.

Status: Chapter 721, Statutes of 2019

SB-688 (Monning) - Failure to pay wages: penalties.

This bill empowers the Labor Commissioner to cite employers and other persons for failure to pay workers the promised rate of pay. Existing law limits that citation power to situations involving failure to pay the minimum wage.

Status: Chapter 723, Statutes of 2019

SB-788 (Committee on Governmental Organization) - Alcoholic beverages: appeals: decision: tied-house restrictions.

This bill clarifies, for purposes of the Alcoholic Beverage Control Act, that an emergency order issued by the Department of Alcoholic Beverage Control (DABC) is not a "final decision." The bill also provides that a superior court shall have jurisdiction to review an emergency decision issued by DABC.

Status: Chapter 257, Statutes of 2019

AB-355 (Daly) - Public Employee Relations Board: Orange County Transportation Authority.

This bill transfers jurisdiction over unfair labor practice charges at the Orange County Transportation Authority from the judicial system to the Public Employee Relations Board (PERB). Consistent with law applicable to other entities under PERB jurisdiction, the bill also authorizes parties to a labor dispute to appeal PERB decisions and orders to the courts through a petition for a writ of extraordinary relief filed within 30 days of the PERB ruling.

Status: Chapter 713, Statutes of 2019

AB-403 (Katra) - Division of Labor Standards Enforcement: complaint.

This bill would have extended the time that a victim of workplace retaliation has to file a claim with the Labor Commissioner from six months to two years and would have authorized an attorneys' fee award to a worker who prevails on a whistleblower claim. Governor Newsom vetoed the bill, urging the Legislature to "consider an approach that is consistent with other anti-retaliation statute of limitations in the Labor Code which are set to one year."

Status: Vetoed by the Governor

AB-673 (Carrillo) - Failure to pay wages: penalties.

This bill empowers employees to recover penalties for failure to pay wages on time. Existing law limited such recovery to the Labor Commissioner.

Status: Chapter 716, Statutes of 2019

AB-1251 (Santiago) - Civil procedure: writs of mandate.

As it came before this Committee, this bill would have required a local agency to provide notification of the timelines for seeking judicial review and the local agency's duty to prepare a complete record of the proceedings whenever the local agency: (1) suspends, demotes, or dismisses an officer or employee; (2) revokes or denies an application for a permit, license, or other entitlement; or (3) denies an application for a retirement benefit or allowance. This bill was subsequently gutted and amended to address an unrelated subject.

Status: In the Senate Rules Committee

ANIMALS

SB-313 (Hueso) - Animals: prohibition on use in circuses.

This bill: (1) prohibits a person from sponsoring, conducting, or operating a circus in California that uses any animal, except for a domestic dog, domestic cat, or domesticated horse; (2) prohibits a person from exhibiting or using any animal in a circus in this state, except for a domestic dog, domestic cat, or domesticated horse; and (3) establishes a civil penalty for a violation of these prohibitions to be enforced.

Status: Chapter 768, Statutes of 2019

AB-44 (Friedman) - Fur products: prohibition.

This bill, as of January 1, 2023, makes it unlawful to sell, offer for sale, display for sale, trade or otherwise distribute for monetary or nonmonetary consideration a fur product in California, or to manufacture a fur product in the state for sale, with specified exceptions. A violation of these provisions subjects a person to a civil penalty.

Status: Chapter 764, Statutes of 2019

AB-128 (Gloria) - Horses: protection.

This bill requires the operator of an auction yard to determine whether an animal has an implanted microchip or has been tattooed or branded with any identifying mark before the animal may be sold at auction, and to post all identifying information on its website and through any active social media in which the operator of the auction yard participates. This bill requires a person who purchases an animal at an auction to sign a sworn statement under the penalty of perjury agreeing to comply with provisions of the Penal Code relating to the slaughter and sale of horses, or horsemeat, for human consumption. This bill requires an operator of such an auction to maintain records that accurately document compliance with these provisions. This bill also makes changes to a required posting notice to be displayed at a public auction or sale where equines are sold.

Status: Chapter 765, Statutes of 2019

ARBITRATION AND MEDIATION

SB-179 (Nielsen) - Excluded employees: arbitration.

This bill gives managerial, confidential, supervisory, and other excluded state employees the option, after exhausting normal grievance procedures, of requesting

binding arbitration as a method for resolving disputes with their State employers.

Status: Assembly Inactive File.

SB-707 (Wieckowski) - Arbitration agreements: enforcement.

This bill provides that if an employment or consumer arbitration requires the drafting party to pay fees and costs regarding the arbitration, and those fees or costs are not paid within 30 days after the due date, then the drafting party is in material breach of the arbitration agreement, is in default of the arbitration, and waives its right to compel arbitration, and authorizes the employee or consumer to the arbitration agreement to compel arbitration or proceed in court. This bill requires the court to impose a monetary sanction on the drafting party in material breach of the arbitration agreement and authorizes the court to impose other sanctions on the drafting party if the drafting party fails to pay costs or fees. This bill also requires arbitration companies to include specified demographic data regarding its arbitrators as self-reported by the arbitrators in a report arbitration companies are already required to make under existing law.

Status: Chapter 870, Statutes of 2019

AB-51 (Gonzalez) - Employment discrimination: enforcement.

This bill prohibits California employers from forcing employees to waive, as a condition of employment, continued employment, or upon the receipt of any employment-related benefit, their right to have future legal disputes over incidents of harassment, discrimination, civil rights-related retaliation, or Labor Code violations heard in the dispute resolution forum of their choice. The bill also protects California workers from retaliation if they refuse to agree to such a waiver.

Status: Chapter 711, Statutes of 2019

AB-692 (Maienschein) - Attorneys: arbitration of attorney's fees.

This bill amends exceptions to the Mandatory Fee Arbitration Act and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the Act.

Status: Chapter 13, Statutes of 2019

ATTORNEYS AND THE PRACTICE OF LAW

SB-176 (Jackson) - State Bar of California.

This bill is the annual State Bar fee bill that authorizes the collection of attorney licensing fees. This bill amends Business and Professions Code Section 6140 to provide that the State Bar may assess a licensing fee for active licensees of \$438 for 2020. This bill amends Business and Professions Code Section 6141 to provide that the State Bar may assess a licensing fee for inactive licensees of \$108 for 2020. This bill also contains provisions that raise the salary cap that qualifies attorneys to pay reduced licensing fees. Last year's State Bar fee bill included provisions that required an audit of the State Bar by the Auditor's Office and a study by the Legislative Analyst's Office (LAO). The audit and study were designed to inform the Legislature's deliberations regarding a potential increase in fees. The Auditor's report was released on April 30, 2019 and the LAO's study was released on June 26, 2019. This bill authorizes increases in active licensee fees and inactive licensee fees in an amount consistent with

the recommendations of the Auditor and LAO. The bill also expresses the intent of the Legislature that the State Bar use licensee fees for active and inactive licensees in a manner that is consistent with the Auditor's report.

Status: Chapter 698, Statutes of 2019

SB-187 (Wieckowski) - Rosenthal Fair Debt Collection Practices Act.

This bill amends definitions in the Rosenthal Fair Debt Collection Practices Act, removing the exception for attorneys in the definition of "debt collector" and clarifying that the definition of "consumer debt" includes mortgage debt.

Status: Chapter 545, Statutes of 2019

SB-544 (Umberg) - Attorneys.

This bill prohibits the staff of the State Bar or the members of the examining committee from considering or reviewing an applicant's medical records relating to mental health when reviewing whether an applicant is of good moral character, or from requesting or seeking to review any medical records relating to mental health, except if the applicant seeks to use the record to either demonstrate that the applicant is of good moral character or as a mitigating factor to explain a specific act of misconduct.

Status: Chapter 152, Statutes of 2019

AB-242 (Kamlager-Dove) - Courts: attorneys: implicit bias: training.

This bill authorizes the Judicial Council to develop training on implicit bias for judges and subordinate judicial officers. This bill also requires the State Bar to adopt regulations to require the continuing education curriculum for all licensees under the State Bar Act to include training on implicit bias and the promotion of bias-reducing strategies.

Status: Chapter 418, Statutes of 2019

AB-330 (Gabriel) - Appointed legal counsel in civil cases.

This bill increases fees on specified court filings by \$15 in order to fund an expansion of legal representation for low-income litigants in three kinds of potentially life-altering civil matters: probate conservatorships, housing-related matters including eviction, and family law.

Status: Chapter 217, Statutes of 2019

AB-558 (Petrie-Norris) - State Bar of California: service members: legal services.

The State Bar administers a program that coordinates programs that offer pro bono civil legal assistance to veterans and their families who otherwise cannot afford legal services. This bill extends these efforts to active duty service members and their families.

Status: Chapter 303, Statutes of 2019

AB-692 (Maienschein) - Attorneys: arbitration of attorney's fees.

This bill amends exceptions to the Mandatory Fee Arbitration Act and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the Act.

Status: Chapter 13, Statutes of 2019

BUSINESS ENTITIES

AB-1181 (Limón) - Charitable organizations.

This bill would have, on and after January 1, 2021, required a charitable organization that receives a noncash pharmaceutical drug, nonprescription drug, medication, medical device, or medical supply contribution that is restricted by the donor so it cannot be used in the United States to value that noncash contribution using the fair value of the end recipient market or a reasonable estimate thereof if the end recipient market value cannot be ascertained following a reasonable inquiry, with exceptions. This bill would have prohibited the reporting of noncash contributions in a charitable organization's audited financial statements, reports filed with the California Attorney General, or solicitation materials, in a way that is misleading or likely to cause confusion. In his veto message, Governor Newsom indicated that the bill could "pose burdensome implementation challenges for the charities impacted by its provisions" and that his "Administration is open to exploring other less burdensome ways to address this issue."

Status: Vetoed by the Governor

CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE

SB-314 (Dodd) - Elders and dependent adults: abandonment.

This bill includes abandonment in the enhanced remedies section of the Elder Abuse and Dependent Adult Civil Protection Act.

Status: Chapter 21, Statutes of 2019

SB-398 (Durazo) - Protection and advocacy agency.

This bill conforms California's laws governing its protection and advocacy system to current federal laws and regulations to ensure the rights and safety of individuals with disabilities.

Status: Chapter 548, Statutes of 2019

SB-496 (Moorlach) - Financial abuse of elder or dependent adults.

This bill: (1) adds broker-dealers and investment advisors to the categories of persons who are mandated reporters of suspected abuse of an elder or dependent adult; (2) allows mandated reporters who report suspected abuse to notify a trusted contact person previously designated by the elder or dependent adult for that purpose; and (3) allows mandated reporters to temporarily delay requested account transactions and disbursements of elder or dependent adults.

Status: Chapter 272, Statutes of 2019

AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.

This bill: (1) extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; (2) provides enhanced damages for a cover up of the assault; and (3) provides a three-year window in which expired claims are revived.

Status: Chapter 861, Statutes of 2019

AB-328 (Maienschein) - Estates and trusts: undue influence.

This bill presumptively renders invalid donative transfers to caregivers who marry the dependent adult in their care, except in certain circumstances.

Status: Chapter 10, Statutes of 2019

AB-1179 (Blanca Rubio) - Child custody: allegations of abuse: report.

This bill requires that a child custody evaluation, investigation, or assessment ordered by a court upon determining that there is a serious allegation of child sexual abuse, must, beginning January 1, 2021, be completed on a form developed by Judicial Council.

Status: Chapter 127, Statutes of 2019

AB-1396 (Oberholte) - Protective orders: elder and dependent adults.

This bill authorizes a court to order a restrained party who abused an elder or dependent adult to attend clinical counseling or anger management courses.

Status: Chapter 628, Statutes of 2019

CIVIL AND PERSONAL RIGHTS AND DISCRIMINATION LAW

SB-142 (Wiener) - Employees: lactation accommodation.

This bill enacts a series of legal changes intended to make it easier for working parents to express and store breast milk at their place of employment. Specifically, this bill: (1) requires employers to provide their employees a space for lactation with specified characteristics; (2) creates penalties for failure to provide the required time or conditions for lactation breaks; (3) explicitly references the prohibition on discriminating against or retaliating against an employee for exercising rights related to lactation; and (4) requires employers to develop a lactation policy with specified components.

Status: Chapter 720, Statutes of 2019

SB-171 (Jackson) - Employers: annual report: pay data.

This bill requires large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an annual basis.

Status: In the Assembly Appropriations Committee.

SB-188 (Mitchell) - Discrimination: hairstyles.

This bill specifies that race, a category protected against workplace discrimination under California's Fair Employment and Housing Act, includes traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists.

Status: Chapter 58, Statutes of 2019

SB-218 (Bradford) - Employment: discrimination enforcement: local government.

This bill would have authorized local governments within the County of Los Angeles to enact and enforce workplace anti-discrimination laws, including establishing remedies and penalties for violations, subject to specified procedural requirements. Governor Newsom vetoed the bill on the basis that "[a]s crafted, this measure could create confusion, inconsistent enforcement of the law and increase costs without a

corresponding increase in worker protections." At the same time, the Governor invited the Legislature to "come back with a measure that makes it clear that local enforcement measures are exclusively focused on local ordinances."

Status: Vetoed by the Governor

SB-222 (Hill) - Discrimination: veteran or military status.

This bill underscores that housing discrimination on account of military or veteran status is unlawful in California by explicitly stating so within the Fair Employment and Housing Act (FEHA). In addition, by defining a Veterans Affairs Supportive Housing (VASH) voucher as a source of income for purposes of FEHA, this bill prohibits landlords from discriminating against a tenant on the basis that the tenant pays part or all of the rent using a VASH voucher.

Status: Chapter 601, Statutes of 2019

SB-234 (Skinner) - Family daycare homes.

This bill enacts a series of clarifications and modifications of zoning and landlord-tenant laws designed to protect and promote the operation of residentially-based family childcare facilities. In particular, key elements of the bill: (1) require local governments to treat large family child care homes (up to 12-14 children) as residential use for purposes of all local ordinances; (2) prevent landlords from rejecting tenant applicants solely based on the tenant's intention to provide child care at the property; (3) clarify that licensed family day care homes are permitted to operate in apartments and other types of multifamily units; and (4) ensure that family child care providers receive notice of their rights and access to remedies under the law.

Status: Chapter 244, Statutes of 2019

SB-310 (Skinner) - Jury selection.

This bill makes those persons convicted of felonies, except as specified, eligible to serve as jurors, excluding from eligibility those incarcerated in a prison or jail or on parole, post-release community supervision, felony probation, or mandated supervision for the conviction of a felony.

Status: Chapter 591, Statutes of 2019

SB-320 (Jackson) - Gender: discrimination: pricing.

This bill extends the Gender Tax Repeal Act's prohibition on gender-based price discrimination. The Act currently prohibits businesses from charging men different prices than women, and vice versa, for services. This bill extends that prohibition to the sale of consumer goods, as well.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

SB-493 (Jackson) - Education: sex equity.

This bill establishes baseline standards and procedures that California colleges and universities must follow, in order to continue receiving state funds, in regard to incidents of sexual harassment, sexual battery, sexual violence, and sexual exploitation that impact equal access to educational opportunity.

Status: In the Assembly Appropriations Committee

SB-495 (Durazo) - Child custody.

This bill prohibits a court from considering the sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative in making a best-interest determination for purposes of awarding child custody or visitation rights.

Status: Chapter 551, Statutes of 2019

SB-591 (Galgiani) - Incarcerated persons: health records.

This bill requires that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

Status: Chapter 649, Statutes of 2019

SB-630 (Stern) - Human trafficking.

This bill provides that state law governing employee training and the posting of notices regarding human trafficking and slavery does not prevent local ordinances, rules, or regulations preventing slavery or human trafficking and does not supersede or preempt such local action if duplicating or supplementing the state law.

Status: Chapter 57, Statutes of 2019

SB-680 (Wieckowski) - Names.

This bill modernizes and amends various statutes, including the Song-Beverly Credit Card Act, to remove references to "maiden names."

Status: Assembly Inactive File

SB-741 (Galgiani) - Change of gender.

This bill provides processes for petitioners changing their names and/or genders to update their marriage certificates and the birth certificates of their children within the framework under existing law for petitioners to update their own birth certificates.

Status: In the Assembly Health Committee

SR-7 (Leyva) - Women's Reproductive Health.

This resolution marks the 46th anniversary of the U.S. Supreme Court's decision in the case *Roe v. Wade* (1973) 410 U.S. 113, which established the constitutional right to choose whether or not to carry a pregnancy to term.

Status: Enrolled January 23, 2019

AB-9 (Reyes) - Employment discrimination: limitation of actions.

This bill extends the deadline by which victims of workplace harassment, discrimination, or civil rights-related retaliation must file their allegation with the Department of Fair Employment and Housing or forever forgo any redress. Currently, a victim must file within one year of the most recent incident giving rise to the claim. This bill gives victims three years to file instead.

Status: Chapter 709, Statutes of 2019

AB-32 (Bonta) - Detention facilities: private, for-profit administration services.

In line with California's interest in ensuring the safety and welfare of its residents, this bill abolishes the private, for-profit prison industry in order to protect incarcerated individuals from serious harm within our state.

Status: Chapter 739, Statutes of 2019

AB-160 (Voepel) - Employment policy: voluntary veterans' preference.

This bill establishes the Voluntary Veterans' Preference Employment Policy Act to allow private employers to give veteran preference in employment decisions. AB 353 (Voepel, 2017) and AB 1383 (Jones, 2016), bills nearly identical to AB 160, died in the Senate Judiciary Committee due to concerns regarding the impact of a program that would give preference to a population that is 92 percent male would have on women and LGBTQ persons.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

AB-175 (Gipson) - Foster care: rights.

This bill reorganizes, clarifies, and expands the Foster Youth Bill of Rights (FYBR). The bill also requires the State Foster Care Ombudsperson to provide trainings and assistance to stakeholders and to recommend FYBR updates to the Legislature.

Status: Chapter 416, Statutes of 2019

AB-302 (Berman) - Parking: homeless students.

This bill, from July 1, 2021 to December 31, 2023, requires that a community college district either grant homeless students overnight access to on-campus parking facilities so that they may sleep in their vehicles, or provide such students with specified housing services.

Status: Senate Inactive File

AB-446 (Choi) - Discrimination: housing: victims of domestic violence.

This bill adds "victim of abuse" – defined as a survivor of domestic violence, elder or dependent adult abuse, human trafficking, sexual assault, or stalking – to the categories protected against housing discrimination by the Fair Employment and Housing Act.

Status: In the Senate Judiciary Committee

AB-749 (Mark Stone) - Settlement agreements: restraints in trade.

This bill voids no-rehire provisions in settlement agreements resolving employment disputes in which the worker filed an official complaint, unless the employer has made a good faith determination that the worker engaged in sexual harassment or sexual assault. The bill applies prospectively to any settlement agreement entered into on or after January 1, 2020.

Status: Chapter 808, Statutes of 2019

AB-931 (Boerner Horvath) - Local boards and commissions: representation: appointments.

This bill prohibits the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60 percent of the same gender identity on or after January 1, 2030; and specifies that smaller boards and commissions must not be comprised of members having the same gender identity.

Status: Chapter 813, Statutes of 2019

AB-1497 (Holden) - Hosting platforms.

This bill makes people who offer their property for short-term rental through online platforms subject to the California Fair Employment and Housing Act, thus prohibiting such “hosts” from discriminating on the basis of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or genetic information.

Status: Chapter 599, Statutes of 2019

AB-1561 (Cristina Garcia) - Planning and zoning: housing element.

As it came before this Committee, this bill would have required local planning agencies to analyze the civil rights impacts of any government constraints on the maintenance, improvement, or development of housing when updating the Housing Elements of their General Plan. The bill was subsequently gutted and amended to address an unrelated subject.

Status: In the Senate Rules Committee

AB-1573 (Holden) - Collegiate athletes: Student Athlete Bill of Rights.

This bill adds three provisions of law designed to support and protect the rights of student athletes at institutions of higher learning. Specifically, the bill: (1) authorizes schools to establish degree completion funds; (2) directs schools to develop, post, and disseminate specified information regarding existing student athlete rights; and (3) prohibits schools from retaliating against student athletes who report violations of student athletes’ rights.

Status: Chapter 382, Statutes of 2019

AB-1607 (Boerner Horvath) - Gender discrimination: notification.

This bill requires a city or county, upon issuing a business license, to provide the business with written notice about the legal prohibition on gender-based pricing discrimination for services and the related posting requirements. The city or county is authorized to increase the fee it charges for a business license to offset the cost of providing the written notice.

Status: Chapter 293, Statutes of 2019

AB-1735 (Bauer-Kahan) - Evidence: privileges: human trafficking caseworker-victim privilege.

This bill amends the human trafficking caseworker privilege in various ways, including changes to existing definitions, the scope of the privilege, and the parties covered. Specifically, it expands who is covered by the privilege, modernizes the training required for caseworkers, and expands what is considered a “confidential communication.”

Status: Chapter 197, Statutes of 2019

AB-1782 (Chau) - Automated license plate recognition information: usage and privacy policy.

This bill requires those operating automated license plate recognition (ALPR) systems and those accessing or using ALPR data to have policies that include procedures to ensure nonanonymized ALPR information is timely destroyed, except as specified, and

that all ALPR information that is shared is anonymized.

Status: In the Senate Judiciary Committee

AB-1820 (Committee on Judiciary) - Personal rights: civil liability and enforcement.

This bill clarifies that the Department of Fair Employment and Housing may bring causes of action to enforce federal civil rights laws.

Status: Chapter 834, Statutes of 2019

ACR-99 (Low) - Civil rights: lesbian, gay, bisexual, or transgender people.

This resolution calls upon the people of California to model equitable treatment of all people, especially those persons who identify as lesbian, gay, bisexual, transgender, or queer (LGBTQ), and to embrace the benefits of acceptance. It further calls upon religious leaders to counsel on LGBTQ matters from a place of love, compassion, and knowledge of the harms of conversion therapy.

Status: Resolution Chapter 166, Statutes of 2019

CIVIL PROCEDURE AND EVIDENCE

SB-17 (Umberg) - Civil discovery: sanctions.

This bill provides for certain initial disclosures to be made in civil actions upon order of the court following stipulation by the parties. The bill exempts application to small claims actions. This bill requires courts to impose a sanction when it makes certain findings in conjunction with specified discovery requests. The bill creates a rebuttable presumption that an unrepresented litigant acted in good faith absent clear and convincing evidence otherwise.

Status: Chapter 836, Statutes of 2019

SB-25 (Caballero) - California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds.

This bill requires courts to resolve California Environmental Quality Act lawsuits against projects financed in whole or in part by a “qualified opportunity fund” or other specified means and meeting other specified conditions, within 270 days, to the extent feasible.

Status: In the Assembly Natural Resources Committee

SB-41 (Hertzberg) - Civil actions: damages.

This bill provides that estimations, measures, or calculations of past, present, or future damages for lost earnings or impaired earning capacity resulting from personal injury or wrongful death shall not be reduced based on race, ethnicity, or gender.

Status: Chapter 136, Statutes of 2019

SB-370 (Umberg) - Discovery: response to inspection demands.

This bill modifies the format in which documents requested in civil discovery must be provided. It requires that any documents or category of documents produced in response to a demand for inspection, copying, testing, or sampling be identified with the specific request number to which the documents respond.

Status: Chapter 208, Statutes of 2019

SB-435 (Moorlach) - Family law: evidence.

This bill, for certain family law proceedings, presumptively allows hearsay in certain business records and expert testimony to establish the character and value of property, and automatically allows hearsay statements contained in a timely filed child custody report, subject to a right of cross-examination.

Status: In the Senate Judiciary Committee

SB-621 (Glazer) - California Environmental Quality Act: court actions or proceedings: affordable housing projects.

This bill requires courts to resolve California Environmental Quality Act lawsuits against projects that qualify as "affordable housing" under the bill and that meet other specified conditions, within 270 days, to the extent feasible.

Status: In the Assembly Natural Resources Committee

SB-645 (Monning) - Civil discovery: depositions.

This bill provides, notwithstanding Section 2025.290 of the Code of Civil Procedure, that in any civil action for injury or illness that results in mesothelioma or silicosis, a deposition examination of the plaintiff by all counsel, other than the plaintiff's counsel of record, shall be limited to seven hours of total testimony if a licensed physician attests in a declaration served on the parties that the deponent suffers from mesothelioma or silicosis, raising substantial medical doubt of the survival of the deponent beyond six months. Courts are given limited discretion to extend this time.

Status: Chapter 212, Statutes of 2019

SB-659 (Borgeas) - California Environmental Quality Act: attorney's fees: infill housing.

This bill allows a court, upon making certain findings, to award reasonable attorney's fees in a California Environmental Quality Act action related to infill housing development projects.

Status: In the Senate Appropriations Committee

SB-741 (Galgiani) - Change of gender.

This bill provides processes for petitioners changing their names and/or genders to update their marriage certificates and the birth certificates of their children within the framework under existing law for petitioners to update their own birth certificates.

Status: In the Assembly Health Committee

AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.

This bill: (1) extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; (2) provides enhanced damages for a cover up of the assault; and (3) provides a three-year window in which expired claims are revived.

Status: Chapter 861, Statutes of 2019

AB-418 (Kalra) - Evidentiary privileges: union agent-represented worker privilege.

This bill establishes an evidentiary privilege from disclosure for communications between a union agent and a represented employee or represented former employee.

Status: Senate Inactive File

AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or deepfakes.

Status: Chapter 491, Statutes of 2019

AB-622 (Chen) - Service of process or subpoena.

This bill requires guards or other security personnel, if any, to grant access to a covered multifamily dwelling for the sole purpose of performing service of process or serving a subpoena.

Status: Chapter 12, Statutes of 2019

AB-669 (Holden) - Attorney General: assurance of voluntary compliance.

This bill authorizes the Attorney General to resolve disputes by acceptance of assurances of voluntary compliance. Pursuant to the bill, the Attorney General is authorized to accept an assurance of voluntary compliance, in lieu of a stipulated judgment, to resolve an action brought in the name of the people of California. Such agreements must be filed with, and be subject to the approval of, the court.

Status: Chapter 97, Statutes of 2019

AB-692 (Maienschein) - Attorneys: arbitration of attorney's fees.

This bill amends exceptions to the Mandatory Fee Arbitration Act and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the Act.

Status: Chapter 13, Statutes of 2019

AB-800 (Chu) - Civil actions: confidentiality.

This bill seeks to ensure that participants in the Safe at Home program are not dissuaded from participating in civil actions out of fear that identifying information about the victims will be publicly available to those who seek to harm them. This bill accomplishes this goal by allowing active participants in the Safe at Home Program to participate in a civil proceeding under a pseudonym and with other protections when that person is a party in the proceeding.

Status: Chapter 439, Statutes of 2019

AB-1116 (Grayson) - Firefighters: peer support.

This bill establishes the California Firefighter Peer Support and Crisis Referral Services Act. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

Status: Chapter 388, Statutes of 2019

AB-1117 (Grayson) - Peace officers: peer support.

This bill establishes the Law Enforcement Peer Support and Crisis Referral Services Program. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from

specified liability arising from the provision of peer support services.

Status: Chapter 621, Statutes of 2019

AB-1123 (Reyes) - Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General.

This bill requires certain notice be provided to the Attorney General before certain proceedings alleging violations of the Safe Drinking and Toxic Enforcement Act of 1986, or implicating its application or construction, are filed in the Supreme Court, court of appeal, or the appellate division of the superior court.

Status: Chapter 187, Statutes of 2019

AB-1349 (Oberholte) - Civil actions: discovery.

This bill requires parties to provide certain discovery requests and responses thereto in an electronic format within three court days of the request, except as specified. The bill also provides that a party may provide the requested electronic materials in any format, and may transmit the document by any method, as agreed upon by the parties, except as specified.

Status: Chapter 190, Statutes of 2019

AB-1361 (Oberholte) - Civil actions: satisfaction of money judgments.

This bill clarifies that a payment of a portion of a money judgment, associated costs, and interest does not waive the right to appeal other portions of the money judgment.

Status: Chapter 48, Statutes of 2019

AB-1510 (Reyes) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.

This bill revives certain otherwise time-barred claims for damages arising from sexual assault and other inappropriate conduct of a sexual nature. This bill amends the definitions and scope of the statute of limitations applying to sexual assault claims. The statute of limitations for damages arising from a sexual assault that occurred when the victim was an adult is 10 years from the date of the last actionable conduct, or three years from the discovery of the injury resulting. Partially in response to the allegations against Dr. George Tyndall and the University of Southern California, this bill revives a specific set of claims that would otherwise be time-barred because of the applicable statute of limitations arising out of sexual assault or other inappropriate sexual conduct for one year starting January 1, 2020.

Status: Chapter 462, Statutes of 2019

AB-1515 (Friedman) - Planning and zoning: community plans: review under the California Environmental Quality Act.

This bill prohibits a court that issues an order to remedy an updated community plan's noncompliance with the California Environmental Quality Act from including in that order a remedy, based on that noncompliance, against certain development project approvals or applications that were completed before the issuance of the order.

Status: Chapter 269, Statutes of 2019

AB-1637 (Smith) - Unclaimed Property Law.

This bill authorizes the State Controller to transfer property reported to the state under the Unclaimed Property Law (UPL) in the name of a local agency or state agency directly to that agency without the filing of a claim by the agency, and provides that existing immunity from suit under the UPL also applies to the transfer of this property.

Status: Chapter 320, Statutes of 2019

AB-1735 (Bauer-Kahan) - Evidence: privileges: human trafficking caseworker-victim privilege.

This bill amends the human trafficking caseworker privilege in various ways, including changes to existing definitions, the scope of the privilege, and the parties covered. Specifically, it expands who is covered by the privilege, modernizes the training required for caseworkers, and expands what is considered a "confidential communication."

Status: Chapter 197, Statutes of 2019

AB-1821 (Committee on Judiciary) - Contracts.

This bill authorizes the award of attorneys' fees, costs, and expenses to the fullest extent permissible for prevailing plaintiffs in cases brought pursuant to Title 16, Part 433 of the Code of Federal Regulations. The prevailing rule in California for many years was that consumers exercising the rights afforded by the "Holder Rule" were eligible to receive attorneys' fees in excess of the amounts paid on the underlying contract. However, a recent California appellate court ruling overturned this longstanding precedent. This bill returns the law to its previous form, allowing the award of attorneys' fees in these consumer protection cases.

Status: Chapter 116, Statutes of 2019

COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT)

SB-323 (Wieckowski) - Common interest developments: elections.

This bill enacts a series of reforms to the laws governing board of director elections in common interest developments, commonly referred to as homeowners associations, or HOAs. In broad strokes, the reforms seek to increase the regularity, fairness, formality, and transparency associated with such elections. Of particular note, this bill: (1) requires that elections take place at regular intervals; (2) prohibits HOAs from disqualifying members from running for the board of directors except on narrow, specified grounds; and (3) restricts HOAs from disenfranchising members.

Status: Chapter 848, Statutes of 2019

SB-326 (Hill) - Common interest developments.

This bill makes two changes to the laws governing homeowners associations (HOAs). First, it establishes a mandatory inspection regime for exterior elevated elements, such as balconies, decks, walkways, stairways, and railings, within HOAs. Second, it nullifies any provision in an HOA's governing documents that purports to condition or limit the ability of the HOA to bring construction defect litigation against the developer or builder of the HOA.

Status: Chapter 207, Statutes of 2019

SB-434 (Archuleta) - Common interest developments: managing agent: production of client property and client records upon termination of management agreement.

This bill requires the property manager of a homeowners association, upon termination of the management agreement and written request from the association, to return the association's property and records to it through specified procedures and timelines.

Status: Senate Inactive File

SB-652 (Allen) - Entry doors: display of religious items: prohibitions.

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

Status: Chapter 154, Statutes of 2019

SB-754 (Moorlach) - Common interest developments: board members: election by acclamation.

This bill permits candidates for the board of directors of large homeowners associations to be seated by acclamation in the event that there are no more candidates than vacant seats, provided specified preconditions have been met.

Status: Chapter 858, Statutes of 2019

AB-670 (Friedman) - Common interest developments: accessory dwelling units.

This bill prohibits homeowner associations (HOAs) from banning construction or use of an accessory dwelling unit or junior accessory dwelling unit, but allows HOAs to impose reasonable rules on the construction or use of such units, so long as those rules do not effectively prevent or unreasonably restrict their construction or use within the HOA.

Status: Chapter 178, Statutes of 2019

CONSTITUTIONAL RIGHTS

SB-27 (McGuire) - Presidential primary elections: ballot access: tax returns.

This bill requires candidates for President of the United States and Governor of California to submit a copy of their federal income tax returns for the five most recent taxable years to the California Secretary of State (SOS), together with a version redacted for privacy, as a precondition for having their names appear on a California primary election ballot. The SOS will then make the redacted returns available to the public through its website.

Status: Chapter 121, Statutes of 2019. (Note: after enactment of this bill, the Supreme Court of California issued an order enjoining enforcement of its provisions relating to the presidential primary ballot on the ground that those provisions conflict with article II, section 5, subdivision (c) of the California Constitution.)

SB-40 (Wiener) - Conservatorship: serious mental illness and substance use disorders.

This bill amends a pilot program that, for participating counties, establishes a conservatorship procedure applicable to individuals who are incapable of caring for their own health and well-being due to a serious mental illness and substance use disorder.

In broad strokes, this bill: (1) compresses the timeframes for the conservatorship, including changing the one-year conservatorship to a six-month conservatorship; (2) makes a prerequisite of that conservatorship a 28-day temporary conservatorship; (3) makes the trigger-point for the temporary conservatorship the person's eighth 72-hour involuntary detention in a 12-month period; (4) provides that the establishment of a conservatorship is subject to a judicial determination regarding the person's eligibility for assisted outpatient treatment; and (5) establishes additional protections to ensure that the conservatorship scheme is more narrowly drawn.

Status: Chapter 467, Statutes of 2019

SB-225 (Durazo) - Citizens of the state.

This bill allows all California residents to serve on appointed government boards and commissions, regardless of citizenship or immigration status. Additionally, the bill eliminates unconstitutional components of the existing statutory definition for California state citizenship.

Status: Chapter 790, Statutes of 2019

SB-371 (Caballero) - Schoolbuses: stop requirements.

This bill authorizes school districts to install automated schoolbus video enforcement systems for schoolbus passing violations.

Status: In the Senate Appropriations Committee

SB-652 (Allen) - Entry doors: display of religious items: prohibitions.

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

Status: Chapter 154, Statutes of 2019

SR-7 (Leyva) - Women's Reproductive Health.

This resolution marks the 46th anniversary of the U.S. Supreme Court's decision in the case *Roe v. Wade* (1973) 410 U.S. 113, which established the constitutional right to choose whether or not to carry a pregnancy to term.

Status: Enrolled January 23, 2019

AB-730 (Berman) - Elections: deceptive audio or visual media.

This bill prohibits anyone, within 60 days of an election and with actual malice, from distributing video, audio, or images of a candidate that have been intentionally manipulated to appear authentic, with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate, unless the manipulated video, audio, or image includes a disclosure stating that it has been manipulated.

Status: Chapter 493, Statutes of 2019

AB-931 (Boerner Horvath) - Local boards and commissions: representation: appointments.

This bill prohibits the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60 percent of the same gender identity on or after January 1, 2030; and specifies that smaller boards and commissions

must not be comprised of members having the same gender identity.

Status: Chapter 813, Statutes of 2019

CONSUMER PROTECTION

SB-180 (Chang) - Gene therapy kits: advisory notice and labels.

This bill requires sellers of gene therapy kits to place a notice on its website and on the packaging of the kit that states the kit is not for self-administration.

Status: Chapter 140, Statutes of 2019

SB-187 (Wieckowski) - Rosenthal Fair Debt Collection Practices Act.

This bill amends definitions in the Rosenthal Fair Debt Collection Practices Act, removing the exception for attorneys in the definition of “debt collector” and clarifying that the definition of “consumer debt” includes mortgage debt.

Status: Chapter 545, Statutes of 2019

SB-208 (Hueso) - Consumer Call Protection Act of 2019.

This bill establishes the Consumer Call Protection Act of 2019. It requires telecommunications service providers to implement certain protocols to verify and authenticate caller identification for calls carried over an internet protocol network. It authorizes the Attorney General and the California Public Utilities Commission to work together to enforce Section 227 of Title 47 of the United States Code.

Status: Chapter 471, Statutes of 2019

SB-318 (Hertzberg) - Consumer protections: contracts and agreements to finance or secure a bail bond or immigration bond.

This bill clarifies that the California Consumer Legal Remedies Act, Contract Translation Act, Rosenthal Fair Debt Collections Practices Act, and Consumer Credit Contact notice provisions apply to bail bonds and immigration bonds.

Status: Failed passage in the Assembly Insurance Committee

SB-320 (Jackson) - Gender: discrimination: pricing.

This bill extends the Gender Tax Repeal Act’s prohibition on gender-based price discrimination. The Act currently prohibits businesses from charging men different prices than women, and vice versa, for services. This bill would extend that prohibition to the sale of consumer goods, as well.

Status: Failed passage in the Senate Judiciary Committee

SB-342 (Hertzberg) - Unfair Competition Law: ticket websites.

This bill makes it unlawful to register, traffic in, or use the name of a professional sports team or a professional sports league, among others, in a domain or subdomain name of a website to sell tickets in a fraudulent, deceptive, or misleading manner. The bill establishes a private right of action for a person who suffers an economic injury as a result of such misconduct.

Status: In the Assembly Appropriations Committee

SB-425 (Hill) - Health care practitioners: licensee's file: probationary physician's and surgeon's certificate: unprofessional conduct.

This bill requires every health care facility in the state, health care service plan, or other entity with any arrangement authorizing a licensed health care professional to provide care for patients to report allegations of sexual abuse and sexual misconduct made against a licensed health care professional by a patient to that licensed health care professional's licensing board within 15 days of receiving a written allegation of sexual abuse or sexual misconduct from a patient. The bill also makes other changes related to disciplinary actions and enforcement procedures of the Medical Board of California.

Status: Chapter 849, Statutes of 2019

SB-472 (Caballero) - Earned income access service providers.

This bill establishes a licensing framework under the California Financing Law for wage-based and work-based advance providers.

Status: In the Assembly Banking and Finance Committee

SB-482 (Hueso) - Consumer loans: restrictions.

This bill places certain requirements on finance lenders in connection with consumer loans made under the California Financing Law.

Status: In the Senate Judiciary Committee

SB-506 (Hueso) - Energy crisis litigation.

This bill authorizes the Attorney General to represent the Department of Finance and to succeed the Electricity Oversight Board in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000–02 energy crisis. The bill provides guidance for the distribution of associated proceeds.

Status: Chapter 150, Statutes of 2019

SB-561 (Jackson) - California Consumer Privacy Act of 2018: consumer remedies.

This bill amends the public and consumer enforcement mechanisms in the California Consumer Privacy Act (CCPA). The bill also authorizes the Attorney General to provide general guidance on compliance with the CCPA.

Status: In the Senate Appropriations Committee

SB-616 (Wieckowski) - Enforcement of money judgments: exemptions.

This bill extends and clarifies a deposit account holder's timeline for filing a claim of exemption when a judgment creditor seeks to extract money from the account through a levy. This bill also establishes an automatic exemption from bank account levies, with specified exceptions, of no more than the minimum basic standard of adequate care for a family of four and annually adjusted by the State Department of Social Services (currently \$1,724).

Status: Chapter 552, Statutes of 2019

SB-619 (Hueso) - Promise Zones: credit reporting pilot program: educational services.

This bill requires landlords of large rental housing developments within a Promise Zone to report rental payment information by a tenant to a consumer reporting agency, and requires the Department of Business Oversight to contract with a third party to analyze

the resulting data on tenant credit scores.

Status: In the Assembly Business and Finance Committee.

SB-639 (Mitchell) - Medical services: credit or loan.

This bill prohibits all healing arts licensees, or an employee or agent of a licensee, from arranging for or establishing an open-end credit or loan that contains deferred interest provisions, and from arranging for or establishing an open-end credit or loan for patients who are under anesthesia or sedation or are in treatment areas. This bill also requires licensees who accept Medi-Cal to specify what treatments are and are not covered by Medi-Cal, and explain if Medi-Cal would cover an alternate, medically appropriate service. The bill updates and simplifies language in required patient notices. This bill's provisions are operative on July 1, 2020.

Status: Chapter 856, Statutes of 2019

SB-753 (Stern) - California Consumer Privacy Act: definition of sale: advertisement service exception.

This bill amends the definition of "sell," "selling," "sale," or "sold" in the California Consumer Privacy Act to exclude certain advertising practices, including those in which a business shares, discloses, or otherwise communicates to another business or third party certain consumer information to the extent necessary to serve or audit a specific advertisement to the consumer. Consumers would no longer have the ability to opt out of such sales of their information.

Status: In the Senate Judiciary Committee

AB-25 (Chau) - California Consumer Privacy Act of 2018.

This bill authorizes a business to require authentication of consumers in connection with requests made pursuant to the California Consumer Privacy Act (CCPA) and allows a business to require requests to be made through an existing account. This bill exempts certain personal information collected by business employers from the scope of the CCPA until January 1, 2021, except as provided.

Status: Chapter 763, Statutes of 2019

AB-179 (Reyes) - New Motor Vehicle Board.

This bill modifies the statutory scheme governing the relationship between motor vehicle dealers and manufacturers, including the role, jurisdiction, and procedures of the New Motor Vehicle Board.

Status: Chapter 796, Statutes of 2019

AB-333 (Eggman) - Whistleblower protection: county patients' rights advocates.

This bill extends whistleblower protections to individuals and entities that have contracts with the state or local government to oversee compliance with patients' rights in county mental health treatment facilities.

Status: Chapter 423, Statutes of 2019

AB-376 (Mark Stone) - Student loan servicing.

This bill imposes new requirements on student loan servicers doing business in the state, and requires the Department of Business Oversight to enforce these requirements. The bill establishes the position of the Student Borrower Advocate to

receive and review complaints from student loan borrowers. The bill also provides for a consumer enforcement mechanism by allowing a consumer who suffers damage as a result of the failure of a student loan servicer to comply with these provisions or any applicable federal laws relating to student loan servicing to bring an action on the consumer's behalf and on behalf of any similarly situated class of consumers against that student loan borrower.

Status: In the Senate Appropriations Committee

AB-384 (Chau) - Information privacy: digital health feedback systems.

This bill makes a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual.

Status: In the Senate Appropriations Committee

AB-506 (Kalra) - Long-term health facilities.

This bill would have revised the criteria under which the California Department of Public Health (CDPH) issues civil penalties against long-term care facilities (LTC facilities) that were found to have caused the death of a resident, so that instead of having to prove the death of a resident was the "direct proximate cause" of a violation by the facility, CDPH would have to prove that the violation was a "substantial factor" in the death of a resident and that the death was a foreseeable result of the violation. Additionally, this bill would have increased the amount of civil penalties that could be assessed against LTC facilities for specified violations. In his veto message, Governor Newsom indicated that he was concerned that the language of the bill "would create more confusion than clarity and would not help CDPH to enforce the law."

Status: Vetoed by the Governor

AB-523 (Irwin) - Telecommunications: customer right of privacy.

This bill generally prohibits a wireless provider from disclosing a subscriber's cell site location information without first obtaining their express written consent.

Status: Senate Inactive File

AB-539 (Limón) - California Financing Law: consumer loans: charges.

This bill provides additional consumer protections, including interest rate and term limitations, in connection with certain loans made under the California Financing Law. Most notably, the bill establishes an interest rate cap on consumer loans with principal amounts from \$2,500 to \$10,000. Licensees are prohibited from receiving charges exceeding an annual simple interest rate of 36 percent per annum plus the Federal Funds Rate.

Status: Chapter 708, Statutes of 2019

AB-596 (Grayson) - Motor vehicle defects: service bulletins and consumer electronic authorization.

This bill explicitly authorizes a new motor vehicle dealer to receive electronic authorization from consumers for any repair of a manufacturer recall consistent with

regulations adopted by the Bureau of Automotive Repair. This bill also updates information that is statutorily required to be contained in a notice that new car dealers must provide to consumers.

Status: Chapter 490, Statutes of 2019

AB-824 (Wood) - Business: preserving access to affordable drugs.

This bill presumes a patent infringement claim settlement between a brand drug maker and a generic or biosimilar biologic drug maker to be anticompetitive and subject to a civil penalty if the generic or biosimilar drug maker receives anything of value from the brand drug maker in exchange for limiting or foregoing entry into the market unless that presumption can be rebutted with specified evidence.

Status: Chapter 531, Statutes of 2019

AB-846 (Burke) - Customer loyalty programs.

This bill provides that the California Consumer Privacy Act does not prohibit a business from offering a different price, rate, level, or quality of goods or services to a consumer, including offering them for no fee, if the offering is in connection with a loyalty or rewards program. The sale of information collected in connection with these programs would be restricted except for a narrow exception for eligibility determinations.

Status: Senate Inactive File

AB-873 (Irwin) - California Consumer Privacy Act of 2018.

This bill amends the definitions of “personal information” and “deidentified” for purposes of the California Consumer Privacy Act (CCPA). The change to the latter definition removes information that can relate to, describe, and that is capable of being associated with a particular consumer from the definition of personal information, so long as it meets certain other guidelines, and therefore removes the CCPA’s protections of this information and consumers’ access to and control over it.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

AB-874 (Irwin) - California Consumer Privacy Act of 2018.

This bill amends the definitions of “personal information” and “publicly available” for purposes of the California Consumer Privacy Act. The bill amends the exclusions from the definition of personal information by redefining what is considered publicly available, namely eliminating the provision that provides that information is not publicly available if that data is used for a purpose that is not compatible with the purpose for which the data is maintained and made available in the government records, or for which it is publicly maintained. The bill also narrows the definition of what is personal information to include only information that is reasonably capable of being associated with a consumer or household and making it clear that personal information does not include consumer information that is deidentified or aggregate consumer information.

Status: Chapter 748, Statutes of 2019

AB-1065 (Berman) - Insurance transactions: notice: electronic transmission.

This bill repeals the sunset on provisions authorizing insurers to deliver certain types of documents electronically and conduct insurance transactions electronically. The bill also grants the California Insurance Commissioner enforcement authority to ensure compliance with safeguards contained in these provisions.

Status: Chapter 235, Statutes of 2019

AB-1106 (Smith) - Los Angeles County: notice of recordation.

This bill extends authorization to Los Angeles County to operate its Homeowner Notification Program for an additional 10 years, should it elect to do so. The Program is designed to combat fraud by alerting people and providing them with advice when documents are recorded against the property they own or reside in.

Status: Chapter 165, Statutes of 2019

AB-1130 (Levine) - Personal information: data breaches.

This bill updates the definition of "personal information" in various consumer protection statutes to include certain government identification numbers and biometric data.

Current law requires businesses that own, license, or maintain personal information to implement and maintain reasonable security procedures and practices to protect that information. In addition, California's data breach notification statutes require government agencies, persons, and businesses to provide residents with specified notices in the wake of breaches of residents' personal information. This bill expands the definition of personal information in each of those statutes to include certain additional information that is particularly sensitive but not currently explicitly included in these statutes, including biometric data and certain identification numbers.

Status: Chapter 750, Statutes of 2019

AB-1132 (Gabriel) - Telecommunications: caller identification fraud.

This bill subjects a caller who intentionally uses caller identification information with false government information for harmful purposes to a civil penalty of up to \$10,000.

Status: Chapter 452, Statutes of 2019

AB-1138 (Gallagher) - Social media: the Parent's Accountability and Child Protection Act.

This bill requires operators of social media websites or applications to use a method that includes reasonable measures to ensure a parent or guardian is providing consent before a child, who the business actually knows is under 13 years of age, can create an account.

Status: Failed a concurrence vote on the Assembly Floor, motion to reconsider

AB-1146 (Berman) - California Consumer Privacy Act of 2018: exemptions: vehicle information.

This bill narrowly limits the California Consumer Privacy Act's opt-out and deletion rights with respect to "vehicle information" in order to facilitate prompt and effective recalls and warranty work. In response to concerns about the interplay of these rights to delete or restrict sales of certain data and existing processes for effectuating warranty and recall notices, this bill exempts certain vehicle and ownership information from the scope of the opt-out rights and to prevent consumers from seeking the deletion of information that is necessary to fulfill the terms of a written warranty or recall.

Status: Chapter 751, Statutes of 2019

AB-1181 (Limón) - Charitable organizations.

This bill would have, on and after January 1, 2021, required a charitable organization that receives a noncash pharmaceutical drug, nonprescription drug, medication, medical device, or medical supply contribution that is restricted by the donor so it cannot be used in the United States to value that noncash contribution using the fair value of the end recipient market or a reasonable estimate thereof if the end recipient market value cannot be ascertained following a reasonable inquiry, with exceptions. This bill would have prohibited the reporting of noncash contributions in a charitable organizations audited financial statements, reports filed with the California Attorney General, or solicitation materials in a way that is misleading or likely to cause confusion. In his veto message, Governor Newsom indicated that the bill could "pose burdensome implementation challenges for the charities impacted by its provisions" and that his "Administration is open to exploring other less burdensome ways to address this issue."

Status: Vetoed by the Governor

AB-1186 (Medina) - Pawnbrokers: fees and charges.

This bill increases the maximum amount of some of the fees that pawnbrokers may charge.

Status: Chapter 189, Statutes of 2019

AB-1202 (Chau) - Privacy: data brokers.

This bill requires data brokers to register with, and pay a registration fee to, the Attorney General on an annual basis. It requires the Attorney General to make this information available to the public in a registry on its website. A data broker is defined as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship.

Status: Chapter 753, Statutes of 2019

AB-1203 (O'Donnell) - Rental passenger vehicle transactions.

In 2016, the law governing rental car companies and their transactions with customers was revised and reorganized, resulting in the repeal of the former sections. This bill updates several remaining references to the now obsolete sections.

Status: Senate Inactive File

AB-1213 (Chen) - Legal document assistants and unlawful detainer assistants.

This bill extends the operation of the provisions of law regulating legal document assistants and unlawful detainer assistants from January 1, 2021, to January 1, 2024, and makes various other technical and nonsubstantive changes.

Status: Chapter 128, Statutes of 2019

AB-1286 (Muratsuchi) - Shared mobility devices: agreements.

This bill places requirements on companies that provide shared mobility devices and the local authorities that allow such devices to be operated within their jurisdictions. This bill would require shared mobility service providers to enter into an agreement with or obtain a permit from the local jurisdiction in which the providers' devices are used. Such agreement or permit must require certain minimum levels of liability insurance and must require a prohibition on contractual provisions between providers and users by which the user limits their legal rights or remedies. The bill would also require cities and

counties authorizing providers to operate within their jurisdictions to establish rules governing the operation, parking, and maintenance of these devices by ordinance, agreement, or permit terms.

Status: In the Senate Judiciary Committee

AB-1313 (Luz Rivas) - Higher education: prohibited debt collection practices.

This bill prohibits a public or private university from refusing to provide a transcript for a current or former student on the grounds that the student owes a debt, conditioning the provision of a transcript on the payment of a debt, charging a higher fee for obtaining a transcript or providing less favorable treatment because a student owes a debt, or using transcript issuance as a tool for debt collection.

Status: Chapter 518, Statutes of 2019

AB-1342 (Low) - Nonprofit corporations: private postsecondary educational institutions: sale of assets: Attorney General approval.

This bill requires a nonprofit corporation that operates or controls a private postsecondary educational institution to obtain the Attorney General's consent before entering into certain agreements or transactions, including an agreement or transaction to sell or convey its assets to a for-profit corporation or mutual benefit corporation.

Status: In the Senate Appropriations Committee

AB-1355 (Chau) - Personal information.

This bill makes a number of amendments to the California Consumer Privacy Act (CCPA). It clarifies that a business' online privacy policy or website must disclose a consumer has the right to request the specific pieces of personal information the business has collected about that consumer and that a business must disclose the categories of personal information sold to each category of third party. The bill requires a business to get affirmative authorization from a consumer who is at least 13 years of age and less than 16 years of age before selling the consumer's information. The bill clarifies that personal information does not include consumer information that is deidentified or aggregate consumer information. It further makes clear that the CCPA does not require a business to collect or retain personal information that it would not otherwise collect or retain in the ordinary course of business. The bill expands the exemption relating to the Fair Credit Reporting Act.

The bill exempts from various provisions of the CCPA personal information reflecting communications or transactions between a business and a consumer, where the latter is acting in their capacity as an employee, owner, director, officer, or contractor of a specific entity. This provision only applies until January 1, 2021.

The bill amends the private right of action provided in the CCPA to apply only to personal information that is nonencrypted and nonredacted. It also authorizes the Attorney General to adopt additional regulations to establish rules and procedures on dealing with consumer requests for information relating to a household. The bill makes a series of other technical, corrective, and clarifying amendments.

Status: Chapter 757, Statutes of 2019

AB-1360 (Ting) - Third-party food delivery.

This bill establishes requirements on food delivery platforms that deliver food to consumers from a grocery establishment, a retail store with a grocery department, or a grocery warehouse, including requiring that a food delivery driver has specified training and that the food delivery platform maintains liability insurance.

Status: Senate Inactive File

AB-1384 (O'Donnell) - Consumer loans: definition.

This bill defines a “consumer credit transaction,” for purposes of California’s Covered Loan Law, as a loan made to a natural person in which the money loaned is primarily for personal, family, or household purposes. It would thus exclude loans made for business purposes from the Covered Loan Law.

Status: In the Senate Judiciary Committee.

AB-1395 (Cunningham) - Information privacy: other connected device with a voice recognition feature.

This bill provides certain limitations on the use of voice recognition features in connection with smart speaker devices and any transcripts or recordings collected or retained in connection with that use.

Status: In the Senate Judiciary Committee

AB-1404 (Santiago) - Nonprofit sponsors: reporting obligations.

This bill requires a nonprofit sponsor to make an annual disclosure publicly available by posting on the nonprofit sponsor’s public website in the same location where it posts copies of its annual report within 30 days of filing an Internal Revenue Service Form 990 that discloses specified information regarding deferred compensation, and would require the nonprofit sponsor to certify the information it discloses is true and correct. The bill requires certain information to be disclosed in pay scales.

Status: Senate Inactive File

AB-1416 (Cooley) - Business: collection and disclosures of consumer personal information.

This bill creates new exemptions to the California Consumer Privacy Act (CCPA) that provide that the obligations imposed on businesses by the CCPA shall not restrict a business’s ability to engage in certain practices.

Status: In the Senate Judiciary Committee

AB-1417 (Blanca Rubio) - Cannabis advertisement and marketing.

This bill establishes civil penalties for violating specified cannabis marketing or advertising requirements.

Status: In the Senate Appropriations Committee

AB-1428 (Calderon) - Business practices: prepaid credit cards: refund methods.

This bill requires a business that offers a refund to a customer via a prepaid debit card for a purchase initiated by the customer in California to provide the customer with at least one other method of receiving the refund other than a prepaid debit card. This bill excludes restaurants from this requirement and defines various terms.

Status: Chapter 130, Statutes of 2019

AB-1477 (Gloria) - Unfair Practices Act.

This bill would have adjusted the distribution of civil penalties recovered by governmental entities in Unfair Competition Law actions. Governor Newsom vetoed the bill, arguing that it would "revise longstanding practices and reduce the resources allocated to counties, putting in jeopardy important consumer protection services they provide."

Status: Vetoed by the Governor

AB-1564 (Berman) - Consumer privacy: consumer request for disclosure methods.

This bill provides that a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to the California Consumer Privacy Act.

Status: Chapter 759, Statutes of 2019

AB-1607 (Boerner Horvath) - Gender discrimination: notification.

This bill requires a city or county, upon issuing a business license, to provide the business with written notice about the legal prohibition on gender-based pricing discrimination for services and the related posting requirements. The city or county would be authorized to increase the fee it charges for a business license to offset the cost of providing the written notice.

Status: Chapter 293, Statutes of 2019

AB-1665 (Chau) - The Parent's Accountability and Child Protection Act.

This bill places certain requirements on the process by which persons and businesses are to obtain consent to sell a minor's personal information. It requires certain operators of social media internet websites or applications to obtain consent to sell a minor's personal information in a process that is separate from the website or application's general terms and conditions before the minor's personal information can be sold. It further prohibits the website or application from obtaining parental consent through the minor. In order to avoid discriminatory or coercive practices, the failure of a parent to grant consent for the sale of the minor's information could not result in the minor being blocked from accessing the internet website or application.

Status: Senate Inactive File

AB-1790 (Wicks) - Marketplaces: marketplace sellers.

This bill requires the terms and conditions of marketplaces, physical or electronic places where sellers offer services or goods for delivery in California, to meet specified requirements. This bill requires marketplaces to communicate with sellers its decision-making process with respect to various terms and processes. For example, it requires a marketplace, if it decides to suspend or terminate a marketplace seller based upon an alleged violation of law or a term, condition, or policy of the marketplace, to provide the seller, without undue delay, with a written statement of reasons for that decision. It also requires every marketplace to ensure that their terms and conditions regarding commercial relationships with marketplace sellers meet all of a series of specified requirements, including that they are in plain language, easily available online, include

guidelines for certain processes, and details about ranking or preferential placement.
Status: Chapter 635, Statutes of 2019

AB-1821 (Committee on Judiciary) - Contracts.

This bill authorizes the award of attorneys' fees, costs, and expenses to the fullest extent permissible for prevailing plaintiffs in cases brought pursuant to Title 16, Part 433 of the Code of Federal Regulations. The prevailing rule in California for many years was that consumers exercising the rights afforded by the "Holder Rule" were eligible to receive attorneys' fees in excess of the amounts paid on the underlying contract. However, a recent California appellate court ruling overturned this longstanding precedent. This bill returns the law to its previous form, allowing the award of attorneys' fees in these consumer protection cases.

Status: Chapter 116, Statutes of 2019

CONTRACTORS

AB-456 (Chiu) - Public contracts: claim resolution.

This bill extends the sunset date—from 2020 to 2027—of a claim resolution process that enables contractors to seek public agency review of claims that arise during public works projects.

Status: Chapter 489, Statutes of 2019

CONTRACTS

AB-1518 (Chu) - Student athletes: contracts.

This bill authorizes a student athlete to enter into a contract with an athlete agent without losing their status as a student athlete, if the contract complies with the policy of the student athlete's educational institution and the bylaws of the National Collegiate Athletic Association.

Status: Chapter 222, Statutes of 2019

COURTS, COURT FACILITIES, COURT EMPLOYMENT, COURT INTERPRETERS, AND COURT REPORTERS

SB-16 (Roth) - Courts: judgeships.

This bill appropriates \$36.5 million from the General Fund to fund 25 new superior court judgeships according to judicial need. The Budget Act of 2019 appropriated money to the Judicial Branch to fund a specified number of judgeships.

Status: In the Senate Appropriations Committee

AB-242 (Kamlager-Dove) - Courts: attorneys: implicit bias: training.

This bill authorizes the Judicial Council of California to develop training on implicit bias for judges and subordinate judicial officers. This bill also requires the State Bar of California to adopt regulations to require the continuing education curriculum for all licensees under the State Bar Act to include training on implicit bias and the promotion of bias-reducing strategies.

Status: Chapter 418, Statutes of 2019

AB-253 (Mark Stone) - Remote court reporting.

This bill authorizes the Santa Clara Superior Court to conduct a one-year pilot project to study the use of remote court reporting. The bill otherwise prohibits the use of remote court reporting.

Status: Chapter 419, Statutes of 2019

AB-668 (Gonzalez) - Courthouses: Privilege from civil arrest.

This bill makes a series of findings and declarations about the importance of free and open courthouse access to the fair administration of justice. Accordingly, this bill codifies key components of the common law privilege against civil arrest, under which a person may not be subjected to civil arrest in relation to one legal matter while attending a judicial proceeding for another.

Status: Chapter 787, Statutes of 2019

AB-1385 (Santiago) - Court reporter fees.

This bill, as of July 1, 2020, increases by roughly 33 percent the fees that court reporters may charge for transcripts and copies thereof.

Status: In the Senate Appropriations Committee

AB-1737 (Oberholte) - Courts: unexpended funds.

This bill authorizes the Judicial Council of California to authorize a trial court to carry over unexpended funds from one fiscal year to the next, and deletes an existing limitation on trial courts carrying over funds in an amount no greater than one percent of the court's operating budget from the prior fiscal year. SB 95 (Committee on Budget and Fiscal Review, Ch. 36, Stats. 2019) authorizes the Judicial Council of California to authorize a trial court to carry over unexpended funds in an amount not to exceed three percent of the court's operating budget from the prior year.

Status: In the Senate Appropriations Committee

AB-1818 (Committee on Judiciary) - State government.

This bill revises statutory reporting requirements and deletes an expired reporting requirement. This bill streamlines reports that the Judicial Council is required to provide to the Legislature.

Status: Chapter 637, Statutes of 2019

EMPLOYMENT AND LABOR

SB-1 (Atkins) - California Environmental, Public Health, and Workers Defense Act of 2019.

This bill would have established administrative mechanisms to preserve specified environmental, public health, and labor standards and remedies in California as they existed on January 19, 2017, as a safeguard in the event that action taken at the federal level would otherwise diminish them. Governor Newsom vetoed the bill, noting that each time federal action has threatened California's natural resources, environmental protections, and workers since 2017, California "has aggressively countered - taking

immediate legal action and deploying every tool at the state's disposal." The Governor expressed confidence that this "will continue to be the case."

Status: Vetoed by the Governor

SB-142 (Wiener) - Employees: lactation accommodation.

This bill proposes a series of legal changes intended to make it easier for working parents to express and store breast milk at their place of employment. Specifically, this bill: (1) requires employers to provide their employees a space for lactation with specified characteristics; (2) creates penalties for failure to provide the required time or conditions for lactation breaks; (3) explicitly references the prohibition on discriminating against or retaliating against an employee for exercising rights related to lactation; and (4) requires employers to develop a lactation policy with specified components.

Status: Chapter 720, Statutes of 2019

SB-171 (Jackson) - Employers: annual report: pay data.

This bill requires large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an annual basis.

Status: In the Assembly Appropriations Committee

SB-179 (Nielsen) - Excluded employees: arbitration.

This bill gives managerial, confidential, supervisory, and other excluded state employees the option, after exhausting normal grievance procedures, of requesting binding arbitration as a method for resolving disputes with their State employers.

Status: Assembly Inactive File

SB-188 (Mitchell) - Discrimination: hairstyles.

This bill specifies that race, a category protected against workplace discrimination under California's Fair Employment and Housing Act (FEHA), includes traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists.

Status: Chapter 58, Statutes of 2019

SB-218 (Bradford) - Employment: discrimination enforcement: local government.

This bill would have authorized local governments within the County of Los Angeles to enact and enforce workplace anti-discrimination laws, including establishing remedies and penalties for violations, and be subject to specified procedural requirements. This bill would have authorized local governments within the County of Los Angeles to enact and enforce workplace anti-discrimination laws, including establishing remedies and penalties for violations, and subject to specified procedural requirements. Governor Newsom vetoed the bill on the basis that "[a]s crafted, this measure could create confusion, inconsistent enforcement of the law and increase costs without a corresponding increase in worker protections." At the same time, the Governor invited the Legislature to "come back with a measure that makes it clear that local enforcement measures are exclusively focused on local ordinances."

Status: Vetoed by the Governor

SB-229 (Hertzberg) - Discrimination: complaints: administrative review.

This bill elaborates on the appeal and enforcement mechanisms that are available when the Labor Commissioner issues a citation to an employer for violating the Labor Code's anti-retaliation provisions. Most significantly, the bill spells out what happens in the event that the employer does not comply with the citation voluntarily: the Labor Commission may convert the citation into a court judgment and a judicial order for injunctive or other non-monetary relief.

Status: Chapter 721, Statutes of 2019

SB-688 (Monning) - Failure to pay wages: penalties.

This bill empowers the California Labor Commissioner to cite employers and other persons for failure to pay workers the promised rate of pay. Existing law limits that citation power to situations involving failure to pay the minimum wage.

Status: Chapter 723, Statutes of 2019

AB-51 (Gonzalez) - Employment discrimination: enforcement.

This bill prohibits California employers from forcing employees to waive, as a condition of employment, continued employment, or the receipt of any employment-related benefit, their right to have future legal disputes over incidents of harassment, discrimination, civil rights-related retaliation, or Labor Code violations heard in the dispute resolution forum of their choice. The bill also protects California workers from retaliation if they refuse to agree to such a waiver.

Status: Chapter 711, Statutes of 2019

AB-170 (Gonzalez) - Employment: sexual harassment: liability.

As it came before this Committee, this bill would have created joint liability for a client employer with a labor contractor for workplace harassment, as follows: if the labor contractor is liable for the workplace harassment, then the client employer is automatically liable for that workplace harassment as well. The bill was subsequently gutted and amended to address unrelated subject matter.

Status: Chapter 415, Statutes of 2019

AB-171 (Gonzalez) - Employment: sexual harassment.

This bill would have strengthened two aspects of labor law intended to protect victims of criminal or trauma-inducing conduct. First, the bill extends to victims of sexual harassment the existing anti-retaliation protections for victims of domestic violence, sexual assault, or stalking. Second, the bill creates a rebuttable presumption of unlawful retaliation if an employer takes adverse action against an employee within 90 days of learning of the employee's status as a victim of domestic violence, sexual assault, sexual harassment, or stalking. Governor Newsom vetoed the bill on the basis that it "could weaken, rather than strengthen, existing worker protections," and that it could result in "potentially overlapping claims filed with both the Department of Fair Employment and Housing as well as the Labor Commissioner."

Status: Vetoed by the Governor.

AB-355 (Daly) - Public Employee Relations Board: Orange County Transportation Authority.

This bill transfers jurisdiction over unfair labor practice charges at the Orange County Transportation Authority from the judicial system to the Public Employee Relations Board (PERB). Consistent with law applicable to other entities under PERB jurisdiction, the bill also authorizes parties to a labor dispute to appeal PERB decisions and orders to the courts through a petition for a writ of extraordinary relief filed within 30 days of the PERB ruling.

Status: Chapter 713, Statutes of 2019

AB-378 (Limón) - Childcare: family childcare providers: bargaining representative.

This bill gives family childcare providers, who provide care in their own homes or the home of a child they care for, the right to form, join, and participate in the activities of, a labor organization that represents them.

Status: Chapter 385, Statutes of 2019

AB-403 (Kalra) - Division of Labor Standards Enforcement: complaint.

This bill would have extended the time that a victim of workplace retaliation has to file a claim with the California Labor Commissioner from six months to two years and authorized an attorneys' fee award to a worker who prevails on a whistleblower claim. Governor Newsom vetoed the bill, urging the Legislature to "consider an approach that is consistent with other anti-retaliation statute of limitations in the Labor Code which are set to one year."

Status: Vetoed by the Governor

AB-418 (Kalra) - Evidentiary privileges: union agent-represented worker privilege.

This bill establishes an evidentiary privilege from disclosure for communications between a union agent and a represented employee or represented former employee.

Status: Senate Inactive File

AB-589 (Gonzalez) - Employment: unfair immigration-related practices.

This bill would have: (1) made it unlawful and criminally punishable for an employer to confiscate the passport or other immigration-related documents of an employee; (2) required employers to post a notice to this effect in the workplace; and (3) required employers to provide employees with a bill of rights, in multiple languages, setting forth labor laws and protections against human trafficking. Governor Newsom vetoed the bill. While he asserted that "the provision in this bill that levies a hefty civil penalty on employers who engage in document abuse in order to commit trafficking is a step in the right direction," he took issue with the bill of rights provision, arguing that "[i]t is overly burdensome for law-abiding employers and may not actually help workers who are the targets of trafficking."

Status: Vetoed by the Governor.

AB-673 (Carrillo) - Failure to pay wages: penalties.

This bill empowers employees to recover penalties for failure to pay wages on time. Existing law limited such recovery to the Labor Commissioner.

Status: Chapter 716, Statutes of 2019

AB-749 (Mark Stone) - Settlement agreements: restraints in trade.

This bill voids no-rehire provisions in settlement agreements resolving employment disputes in which the worker filed an official complaint, unless the employer has made a good faith determination that the worker engaged in sexual harassment or sexual assault. The bill applies prospectively to any settlement agreement entered into, on, or after January 1, 2020.

Status: Chapter 808, Statutes of 2019

AB-1478 (Carrillo) - Employment discrimination.

This bill would have established a private right of action through which California workers may enforce their existing right to take time off and, in some instances, request reasonable accommodations, to deal with life events beyond their control such as having to serve on a jury, participating in a judicial proceeding, or enduring domestic violence, stalking, or sexual assault. Governor Newsom vetoed the bill, noting, "survivors of domestic violence, sexual assault or stalking already have the ability under current law to file a retaliation claim through the Labor Commissioner's Office, file a Private Attorneys General Act claim, and to seek reinstatement and reimbursement for lost wages and benefits."

Status: Vetoed by the Governor.

AB-1677 (Weber) - Call centers: protections.

This bill would have provided that any large customer service call center employer which intends to relocate from California to a foreign country must first notify the Labor Commissioner and forgo access to state grants, guaranteed-loans, and tax credits for five years. The bill also requires California state agencies to contract only with call centers operating entirely within the state by December 31, 2021. Governor Newsom vetoed the bill on the ground that the "significant penalties and restrictions proposed by this bill might dissuade businesses that have no intention of moving their operations from making any further investments in California - which could hurt, not help, California workers."

Status: Vetoed by the Governor.

ENVIRONMENTAL AND TOXIC SUBSTANCES

SB-1 (Atkins) - California Environmental, Public Health, and Workers Defense Act of 2019.

This bill would have established administrative mechanisms to preserve specified environmental, public health, and labor standards and remedies in California as they existed on January 19, 2017, as a safeguard in the event that action taken at the federal level would otherwise diminish them. Governor Newsom vetoed the bill, noting that each time federal action has threatened California's natural resources, environmental protections, and workers since 2017, California "has aggressively countered - taking immediate legal action and deploying every tool at the state's disposal." The Governor expressed confidence that this "will continue to be the case."

Status: Vetoed by the Governor.

SB-25 (Caballero) - California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds.

This bill requires courts to resolve California Environmental Quality Act lawsuits against projects financed in whole or in part by a qualified opportunity fund or other specified means, and that meet other specified conditions, within 270 days, to the extent feasible.

Status: In the Assembly Natural Resources Committee

SB-332 (Hertzberg) - Wastewater treatment: recycled water.

This bill requires wastewater treatment facilities and affiliated water suppliers that discharge through ocean outfall to reduce the overall volume of the facility's annual flow as compared to the average annual dry weather wastewater discharge baseline volume by at least 50 percent by January 1, 2030, and by at least 95 percent by January 1, 2040, and imposes a penalty of \$2,000 per acre-foot of water above the required reduction for failure to comply. The bill also requires a holder of a national pollutant discharge elimination system permit authorizing the discharge of wastewater through an ocean outfall, in conjunction with affiliated water suppliers, to submit to the State Water Resources Control Board a plan and a report to meet these requirements containing specified information, and imposes a penalty of up to \$10,000 for failure to submit the plan and report.

Status: In the Senate Appropriations Committee

SB-392 (Allen) - Hazardous materials: green chemistry: consumer products.

This bill revises California's Green Chemistry program by authorizing the Department of Toxic Substances Control (DTSC) to rely on all or part of one or more applicable publicly available studies or evaluations of alternatives to a chemical of concern under consideration in a consumer product, instead of the existing required analysis of alternatives, and authorizes DTSC to proceed directly to a regulatory response. The bill authorizes DTSC to issue a formal request for information to product manufacturers and provides that a person who violates a formal request for information is liable for a civil penalty not to exceed \$50,000 for each separate violation.

Status: Assembly Inactive File

SB-621 (Glazer) - California Environmental Quality Act: court actions or proceedings: affordable housing projects.

This bill requires courts to resolve California Environmental Quality Act lawsuits against projects that qualify as "affordable housing" under the bill and that meet other specified conditions, within 270 days, to the extent feasible.

Status: In the Assembly Natural Resources Committee

SB-659 (Borgeas) - California Environmental Quality Act: attorney's fees: infill housing.

This bill allows a court, upon making certain findings, to award reasonable attorney's fees in a California Environmental Quality Act action related to infill housing development projects.

Status: In the Senate Appropriations Committee

AB-161 (Ting) - Solid waste: paper waste: electronic proofs of purchase.

This bill requires a business, on and after January 1, 2022, to offer a consumer the option of receiving, and prohibits a business from printing, a proof of purchase if a consumer opts to not receive one, with certain exceptions. The bill also prohibits a paper proof of purchase from containing the chemicals bisphenol A or bisphenol S, or nonessential items to the transaction.

Status: In the Senate Appropriations Committee

AB-729 (Chu) - Carpet recycling: carpet stewardship.

This bill revises the Product Stewardship for Carpets Program to, among other things, require the stewardship plan to include a funding mechanism with differential assessments, require a “contingency plan” in the absence of an approved plan by the California Department of Resources Recycling and Recovery, and increase administrative penalties from \$1,000 per day to \$5,000 per day.

Status: Chapter 680, Statutes of 2019

AB-1123 (Reyes) - Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General.

This bill requires certain notice be provided to the Attorney General before certain proceedings alleging violations of the Safe Drinking and Toxic Enforcement Act of 1986, or implicating its application or construction, are filed in the Supreme Court, court of appeal, or the appellate division of the superior court.

Status: Chapter 187, Statutes of 2019

AB-1162 (Kalra) - Lodging establishments: personal care products: small plastic bottles.

This bill prohibits a lodging establishment from providing a small plastic bottle containing shampoo, hair conditioner, or bath soap to guests, and subjects a lodging establishment to a civil penalty for each violation.

Status: Chapter 687, Statutes of 2019

AB-1415 (Friedman) - Department of Water Resources: reporting requirements: civil penalties.

This bill requires the Department of Water Resources (DWR) to impose a civil penalty not to exceed \$1,000 for the failure to timely file certain reports, and authorizes the DWR to impose an additional penalty of \$250 per day for failure to file those reports within 60 days after notice of failure to timely file. The bill authorizes DWR to reduce or waive these penalties.

Status: In the Senate Appropriations Committee

AB-1500 (Carrillo) - Hazardous substances.

This bill authorizes a Unified Program Agency to temporarily suspend a facilities permit if conditions at the facility pose an imminent or substantial threat to public health and safety. The bill authorizes a local health officer to take necessary protective action to protect public health and safety from specified releases of hazardous substances that pose an imminent or substantial endangerment to the public, in accordance with prescribed due process. The bill provides that an owner or operator of a unified program

facility is liable for a civil penalty or administrative penalty of not less than \$500 or more than \$5,000 per day for failure to obtain or keep a permit as required under existing law.
Status: In the Senate Appropriations Committee

AB-1515 (Friedman) - Planning and zoning: community plans: review under the California Environmental Quality Act.

This bill prohibits a court that issues an order to remedy an updated community plan's noncompliance with the California Environmental Quality Act from including in that order a remedy, based on that noncompliance, against certain development project approvals or applications that were completed before the issuance of the order.

Status: Chapter 269, Statutes of 2019

AB-1628 (Robert Rivas) - Environmental justice.

This bill expands the definition of the term "environmental justice" in certain provisions governing the land use planning process.

Status: Chapter 360, Statutes of 2019

FAMILY LAW

SB-30 (Wiener) - Domestic partnership: persons under 62 years of age.

This bill eliminates the provision that generally limits domestic partnerships to same sex couples.

Status: Chapter 135, Statutes of 2019

SB-337 (Skinner) - Child support.

Existing law requires low-income families who receive assistance from the CalWORKs program to assign to the state their rights to child support. That support, with the exception of \$50 which "passes through" to the recipient, is held by the state to reimburse the state and federal governments for the CalWORKs assistance costs. This bill would have increased the amount that passes through to the recipient to \$100 for a family with one child and \$200 for a family with two or more children. The bill would also would have provided for the expungement of certain child support debt that is unlikely to be collected. Governor Newsom vetoed the bill, stating: "While I am supportive of increasing the amount of child support passed through to families on CalWORKs, such an increase would have a General Fund impact of tens of millions of dollars annually, thus it should be considered as part of the budget process."

Status: Vetoed by the Governor

SB-435 (Moorlach) - Family law: evidence.

This bill, for certain family law proceedings, presumptively allows hearsay in certain business records and expert testimony to establish the character and value of property, and automatically allows hearsay statements contained in a timely-filed child custody report, subject to a right of cross-examination.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

SB-495 (Durazo) - Child custody.

This bill prohibits a court from considering sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative in making a best interest determination for purposes of awarding child custody or visitation rights.

Status: Chapter 551, Statutes of 2019

AB-327 (Maienschein) - Estates and trusts: at-death transfers.

This bill provides that a spousal at-death transfer that is conveyed by will, revocable trust, beneficiary form, or other instrument is not subject to a presumption of undue influence under a Family Code provision applicable to interspousal contracts.

Status: Chapter 43, Statutes of 2019

AB-465 (Eggman) - Juveniles: dual status children.

As originally passed by this Committee, this bill would have codified certain definitions that the Judicial Council of California was statutorily required to develop in order to assist in tracking “dual-status youth” who are involved in both the juvenile dependency and delinquency systems. The bill's contents were subsequently deleted and replaced. In its current form, the bill generally codifies two Rules of Court that respectively govern criminal court and family court processes for determining if a restrained party failed to relinquish a firearm, as required by the protective order they are subject to. To align the processes, this bill expedites and expands certain aspects of the rule governing family courts.

Status: Senate Inactive File

AB-677 (Choi) - Intercountry adoption finalized in a foreign country.

This bill revises the process by which certain intercountry adoptions are recognized in California by requiring the parent—or if the parent fails to act, the adoption agency—to file a petition with the court for readoption to establish a record by which an adoptee can prove the facts of their foreign adoption.

Status: Chapter 805, Statutes of 2019

AB-785 (Bloom) - Gamete banks: donor information.

This bill makes clarifying and technical changes to gamete bank laws relating to the collection and disclosure of a donor’s identifying and medical information.

Status: Chapter 539, Statutes of 2019

AB-925 (Gloria) - Protective orders: confidential information regarding minors.

This bill expands the circumstances in which it is permissible to disclose a minor’s confidential information contained in certain protective orders.

Status: Chapter 294, Statutes of 2019

AB-1092 (Jones-Sawyer) - Child support: enforcement.

This bill would have prohibited the Department of Child Support Services or a local child support agency from collecting interest that accrues on or after January 1, 2022, on the principal amount of past-due child support owed to the county. Governor Newsom vetoed the bill, stating: “While I cannot support this bill as it would lead to an estimated revenue loss of millions of dollars outside the budget process, it is critical that child support agencies use their tools under current law to modify child support orders that

help align the support with the person's ability to pay as doing so helps support low-income families. I am directing the Department of Child Support Services to review the compromise of arrears program and consider any needed changes to address uncollectable debts and increase collections.”

Status: Vetoed by the Governor

AB-1165 (Bauer-Kahan) - Child custody: supervised visitation.

This bill revises requirements for professional providers of supervised visitation services in child custody matters by requiring background checks and standardized training for professional providers.

Status: Chapter 823, Statutes of 2019

AB-1179 (Blanca Rubio) - Child custody: allegations of abuse: report.

This bill requires that a child custody evaluation, investigation, or assessment ordered by a court upon determining that there is a serious allegation of child sexual abuse, must, beginning January 1, 2021, be completed on a form developed by Judicial Council.

Status: Chapter 127, Statutes of 2019

AB-1301 (Cooley) - Child welfare: adoption.

This bill makes certain changes relating to the control, amount, and use of funds earmarked to reimburse private adoption agencies for the costs of assisting certain children and nonminors in obtaining adoptive placement. Specifically, the bill gives counties, instead of the state, direct control over the funds, lowers the cap on reimbursements, and enables counties to spend the surplus for activities related to placement.

Status: Chapter 827, Statutes of 2019

AB-1373 (Patterson) - Adoption.

This bill clarifies the scope of specified adoption processes in two ways. First, existing law provides that when a child is adopted, a birth parent's rights and responsibilities are terminated by operation of law, unless the birth parent and prospective parent sign a waiver before the adoption is finalized. This bill clarifies that the authority to sign such a waiver applies to all adoptions other than intercountry adoptions. The bill also provides that in adult adoptions, the adult who is being adopted may waive the automatic termination of the rights and responsibilities of a birth parent by signing the waiver before the finalization of the adoption. Second, the bill clarifies the scope of a streamlined stepparent adoption process applicable when one of the spouses or partners gives birth to the child during the marriage or domestic partnership, by providing that this streamlined process also applies when the child is born through a gestational surrogacy process brought about by one or both of the spouses or partners.

Status: Chapter 192, Statutes of 2019

AB-1380 (Oberholte) - Premarital agreements: enforcement.

This bill: (1) clarifies that an existing requirement that an unrepresented party be given seven days to sign a premarital agreement is triggered when the final agreement is presented, and (2) applies the seven-day period to all premarital agreements executed after January 1, 2020, regardless of whether the parties are represented by counsel.

Status: Chapter 193, Statutes of 2019

AB-1817 (Committee on Judiciary) - Family law omnibus.

This bill is the Assembly Judiciary Committee's annual omnibus family law bill, which makes several technical updates and clarifications to various parts of the Family Code.

Status: Chapter 115, Statutes of 2019

GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT

SB-202 (Wilk) - Animal blood donors.

This bill would have defined a commercial blood bank for animals to include "community-sourced" animals that are brought by their guardians to the commercial blood bank to have their blood collected and would have required the production of blood and blood products to be overseen by a licensed veterinarian. The bill would have placed new requirements on a commercial blood bank for animals when accepting donations from community-sourced animals and would have prohibited a commercial blood bank for animals from providing payment to a person who brings a community-sourced animal to the commercial blood bank for donation. The bill also would have removed the exemption for commercial blood banks from the California Public Records Act. In his veto message, Governor Newsom stated that he is in support of changing California's law governing animal blood donation, but does not believe this bill goes far enough because it does not effectively lead to the phasing-out of commercial blood banks for animals that use captive closed colonies.

Status: Vetoed by the Governor

SB-518 (Wieckowski) - Public records: disclosure: court costs and attorney's fees.

This bill would have clarified that litigation to enforce the California Public Records Act is exempted from the application of Civil Procedure Code Section 998. Offers to compromise made under California Code of Civil Procedure Section 998 are a litigation tool to encourage settlement. If the 998 settlement offer is rejected, the party that made the offer is entitled to recover litigation costs if the party that rejected the offer fails to obtain a better result at trial. In his veto message, Governor Newsom wrote: "While transparency is essential to maintaining trust in the work of public agencies, this bill does little to advance that ideal. Preventing public agencies from making good-faith efforts to settle litigation by providing additional records that may have been inadvertently overlooked or mistakenly withheld actually delays timely disclosure. This legislation would provide a perverse incentive for more litigation instead of more transparency."

Status: Vetoed by the Governor

SB-534 (Bradford) - Insurers: minority, women, LGBT, veteran, and disabled veteran business enterprises.

This bill, commencing on July 1, 2020, and biennially on July 1 of each even-numbered year thereafter, requires an admitted insurer with California written premiums of \$100 million or more to submit a report to the Insurance Commissioner on its minority, women, LGBT, veteran, and disabled veteran business enterprise procurement efforts

and governing board diversity efforts and requires the California Department of Insurance (CDI) to make that information publicly available on its website. The bill requires information regarding board diversity to be collected and transmitted in a manner that maintains the anonymity of responding board members and provides that this information is confidential and not to be released by the CDI or an insurer, except that information regarding board diversity is to be published publically in the aggregate by the CDI. The bill also codifies the Insurance Diversity Task Force.

Status: Chapter 249, Statutes of 2019

SB-581 (Caballero) - Cannabis: licensing: public records.

This bill requires cannabis-licensing agencies to post certain information regarding applicants and licensees, including labor law violations, enforcement actions and convictions of crimes substantially related to the qualifications, functions or duties of the business or profession for which the license was issued.

Status: Assembly Inactive File

SB-683 (Grove) - Developmental services: regional centers.

This bill requires the Department of Developmental Services (DDS), by July 1, 2020, and in consultation with stakeholders, to determine the most appropriate machine-readable format to be used by DDS and regional centers when disclosing numeric data to the public. The bill also requires, by January 1, 2021, that DDS and regional centers provide all numeric data disclosed to the public in the format chosen by DDS and stakeholders pursuant to the bill. The bill also requires that DDS, by July 1, 2020, to develop, provide to regional centers, and post on its website, transparency guidelines for disclosing information, and by January 1, 2021, requires each regional center to include a public disclosures menu on its website consistent with the transparency guidelines.

Status: In the Assembly Appropriations Committee

SB-708 (Hueso) - Electricity: Independent System Operator.

This bill places additional responsibilities and requirements on the California Independent System Operator.

Status: In the Assembly Utilities and Energy Committee

SB-749 (Durazo) - California Public Records Act: trade secrets: reverse public records actions.

This bill provides that certain records provided by private industry employers to public agencies pursuant to a contract with a state or local agency are public records, not trade secrets.

Status: In the Assembly Inactive File

AB-54 (Ting) - Peace officers: video and audio recording: disclosure.

As originally passed by this Committee, this bill was an urgency measure designed to correct a drafting error in AB 748 (Ting, Ch. 960, Stats. 2018), the author's law enforcement transparency bill. The author sought to correct the drafting error prior to July 1, 2019, the day the provisions of AB 748 went into effect. The entire contents of this bill were gutted out and replaced with provisions outside the jurisdiction of the Senate Judiciary Committee.

Status: Chapter 793, Statutes of 2019

AB-289 (Fong) - California Public Records Act Ombudsperson.

This bill establishes the position of the California Public Records Act Ombudsperson, within the California State Auditor's Office, to review the denial of a state agency to an original request by a member of the public to access records under the provisions of the California Public Records Act.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

AB-911 (Rodriguez) - Office of Emergency Services: emergency information system.

This bill requires the Office of Emergency Services to complete a study to determine the feasibility of developing a statewide system that would enable all Californians to voluntarily provide vital health and safety information to be made available to all first responders in an emergency if a 911 call is placed. The bill also provides that information submitted through the statewide system shall be confidential and is not a public record.

Status: Chapter 686, Statutes of 2019

AB-1184 (Gloria) - Public records: writing transmitted by electronic mail: retention.

This bill would have required a public agency, for the purposes of the California Public Records Act, to retain and preserve for at least two years every public record that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation or established by the Secretary of State pursuant to the State Records Management Act. In his veto message, Governor Newsom indicated that the "bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to the taxpayer."

Status: Vetoed by the Governor

AB-1472 (Mark Stone) - California Dungeness Crab Commission.

This bill creates the California Dungeness Crab Commission to promote the marketing and production of the Dungeness crab. Specifically, the bill: (1) authorizes the Commission to carry out programs of education, public information, promotion, marketing, and research relating to Dungeness crab; and (2) authorizes the Commission to levy an assessment on Dungeness crab fishers and use those monies for the purposes of carrying out the Commission's activities.

Status: Senate Inactive File

AB-1813 (Committee on Insurance) - Insurance.

This bill makes various changes to the laws governing the business of insurance in the state, and exempts information, documents, and copies obtained by, reported to, or provided to the California Insurance Commissioner during participation in a supervisory college from the disclosure requirements of the California Public Records Act and from subpoena or discovery in a private civil action.

Status: Chapter 201, Statutes of 2019

AB-1819 (Committee on Judiciary) - Inspection of public records: use of requester's reproduction equipment.

This bill provides that a requester who inspects a disclosable record on the premises of an agency has the right to use the requester's equipment on those premises, without charge, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, except as specified. The bill authorizes an agency to impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. The bill also authorizes an agency to impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.

Status: Chapter 695, Statutes of 2019

HEALTH CARE ISSUES

SB-591 (Galgiani) - Incarcerated persons: health records.

This bill requires that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

Status: Chapter 649, Statutes of 2019

AB-46 (Carrillo) - Individuals with mental illness: change of term.

This bill replaces outdated terminology used to describe mental health conditions and individuals with mental health conditions.

Status: Chapter 9, Statutes of 2019

AB-333 (Eggman) - Whistleblower protection: county patients' rights advocates.

This bill extends whistleblower protections to individuals and entities that have contracts with the state or local government to oversee compliance with patients' rights in county mental health treatment facilities.

Status: Chapter 423, Statutes of 2019

AB-384 (Chau) - Information privacy: digital health feedback systems.

This bill makes a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual.

Status: Held in the Senate Appropriations Committee

AB-743 (Eduardo Garcia) - Pupil health: self-administration of prescribed asthma medication.

This bill requires a school district to accept the statements of physicians and surgeons who are contracted with certain Mexican health plans in connection with the use of

prescription inhaled asthma medication in schools. The bill immunizes school nurses, other school personnel, and school districts from specified liability in connection with a pupil self-administering inhaled asthma medication in accordance with such statements.

Status: Chapter 101, Statutes of 2019

AB-824 (Wood) - Business: preserving access to affordable drugs.

This bill presumes a patent infringement claim settlement between a brand drug maker and a generic or biosimilar biologic drug maker to be anticompetitive and subject to a civil penalty if the generic or biosimilar drug maker receives anything of value from the brand drug maker in exchange for limiting or foregoing entry into the market, unless that presumption can be rebutted with specified evidence.

Status: Chapter 531, Statutes of 2019

HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES

SB-18 (Skinner) - Keep Californians Housed Act.

This bill indefinitely extends state protections for tenants whose landlord goes into foreclosure. Those protections give such tenants the right to remain for the duration of any pre-existing fixed-term lease, except in specified circumstances, and require post-foreclosure owners to provide 90 days' advance notice before terminating any pre-existing month-to-month tenancy.

Status: Chapter 134, Statutes of 2019

SB-222 (Hill) - Discrimination: veteran or military status.

This bill underscores that housing discrimination on account of military or veteran status is unlawful in California by explicitly stating so within the Fair Employment and Housing Act (FEHA). In addition, by defining a Veterans Affairs Supportive Housing (VASH) voucher as a source of income for purposes of FEHA, this bill prohibits landlords from discriminating against a tenant on the basis that the tenant pays part or all of the rent using a VASH voucher.

Status: Chapter 601, Statutes of 2019

SB-234 (Skinner) - Family daycare homes.

This bill makes a series of clarifications and modifications of zoning and landlord-tenant laws designed to protect and promote the operation of residentially based family childcare facilities. In particular, key elements of the bill: (1) require local governments to treat large family child care homes (up to 12-14 children) as residential use for purposes of all local ordinances; (2) prevent landlords from rejecting tenant applicants solely based on the tenant's intention to provide child care at the property; (3) clarify that licensed family day care homes are permitted to operate in apartments and other types of multifamily units; and (4) ensure that family child care providers receive notice of their rights and access to remedies under the law.

Status: Chapter 244, Statutes of 2019

SB-274 (Dodd) - Mobilehome parks: tenancies

This bill: (1) creates an opportunity for mobilehome residents to return when a mobilehome park is destroyed by natural disaster and subsequently gets rebuilt; (2)

provides a required structure for a park's determination of whether it must accept a prospective mobilehome buyer; and (3) provides mobilehome residents the opportunity to designate at least three "companions" in each calendar year with whom to share the mobilehome.

Status: Chapter 504, Statutes of 2019

SB-329 (Mitchell) - Discrimination: housing: source of income.

This bill expands the definition of "source of income," a category that California's Fair Employment and Housing Act protects against discrimination. It thereby prohibits landlords from discriminating against tenants who rely upon housing assistance paid directly to landlords, such as a Section 8 voucher, to help them pay the rent.

Status: Chapter 600, Statutes of 2019

SB-479 (Atkins) - Tenancy: automatic renewal or extension of lease.

This bill increases the font size required for notification in a residential housing lease that the tenancy will automatically renew upon expiration of the fixed lease term unless the tenant notifies the landlord of the tenant's intent to vacate.

Status: Assembly Inactive File

SB-529 (Durazo) - Tenant associations: eviction for cause: withholding payment of rent.

This bill provides for the formation of tenant associations – groups of tenants from three or more units belonging to the same landlord – and attaches certain protections to belonging to such an association, including a requirement that a landlord state the reason for any termination of tenancy.

Status: Failed passage on the Senate Floor

SB-619 (Hueso) - Promise Zones: credit reporting pilot program: educational services.

This bill requires landlords of large rental housing developments within a Promise Zone to report rental payment information by a tenant to a consumer reporting agency and requires the Department of Business Oversight to contract with a third party to analyze the resulting data on tenant credit scores.

Status: In Assembly Business and Finance Committee.

SB-638 (Allen) - Leases: electric vehicle charging stations: insurance coverage.

This bill modifies and in almost every circumstance significantly reduces the amount of insurance coverage that a landlord may demand from a tenant requesting to install an electric vehicle charging station on residential rental property.

Status: Chapter 855, Statutes of 2019

SB-644 (Glazer) - Tenancy: security deposit: active military personnel.

This bill lowers the amount that a landlord can charge military service members for a security deposit on residential rental housing.

Status: Chapter 602, Statutes of 2019

SB-652 (Allen) - Entry doors: display of religious items: prohibitions.

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

Status: Chapter 154, Statutes of 2019

AB-206 (Chiu) - Public nuisance: abatement: lead-based paint.

This bill immunizes property owners who voluntarily participate in lead paint abatement programs from associated liability. The bill prohibits such participation from being evidence of violations of specified housing statutes, but makes clear it does not alter existing obligations to maintain property or limit tenants' remedies for addressing the presence of lead paint.

Status: Chapter 171, Statutes of 2019

AB-330 (Gabriel) - Appointed legal counsel in civil cases.

This bill increases fees on specified court filings by \$15 in order to fund an expansion of legal representation for low-income litigants in three kinds of potentially life-altering civil matters: (1) probate conservatorships; (2) housing-related matters, including eviction; and (3) family law.

Status: Chapter 217, Statutes of 2019

AB-446 (Choi) - Discrimination: housing: victims of domestic violence.

This bill adds "victim of abuse" – defined as a survivor of domestic violence, elder or dependent adult abuse, human trafficking, sexual assault, or stalking – to the categories protected against housing discrimination by the Fair Employment and Housing Act.

Status: In the Senate Judiciary Committee

AB-1110 (Friedman) - Rent increases: noticing.

This bill extends the notice period required for a landlord to impose a large rent increase on a tenant in a periodic tenancy of month-to-month or shorter. Specifically, a landlord has to give 90 days' notice to a tenant before imposing rent increases of more than 10 percent.

Status: Chapter 595, Statutes of 2019

AB-1188 (Gabriel) - Dwelling units: persons at risk of homelessness.

This bill allows a tenant, with the written approval of the landlord, to take in a person who is at risk of homelessness pursuant to written agreements that would, among other things, enable the tenant to remove the person at risk of homelessness on short notice with the assistance of the police.

Status: Chapter 339, Statutes of 2019

AB-1232 (Gloria) - Affordable housing: weatherization.

This bill proposes three things in relation to operation of the Low-Income Weatherization Program: (1) a study of impacts of the Program on rental rates; (2) greater collaboration between government health and environmental agencies; and (3) clarification of funding distribution timelines.

Status: Chapter 754, Statutes of 2019

AB-1399 (Bloom) - Residential real property: rent control: withdrawal of accommodations.

This bill makes minor, clarifying modifications to the Ellis Act, the California law that allows landlords in eviction-controlled jurisdictions to evict tenants in order to withdraw property from the rental housing market. Specifically, the bill clarifies: (1) how to calculate when a property can be returned to the market after Ellis Act evictions; (2) that payment of a penalty for an Ellis Act violation does not extinguish a landlord's obligation to comply with the law; and (3) that if a landlord voluntarily allows tenants facing an Ellis Act eviction more time to move out, that does not alter the calculation of when the landlord is eligible to return the property to the rental market.

Status: Chapter 596, Statutes of 2019

AB-1482 (Chiu) - Tenancy: rent caps.

This bill limits rent-gouging in California by placing an upper limit on annual rent increases: 5 percent plus inflation. To prevent landlords from engaging in rent-gouging by evicting tenants, the bill also requires that a landlord have and state a just cause in order to evict tenants who have occupied the premises for a year. Both the rent cap and the just cause provisions are subject to exemptions including, among others: housing built in the past 15 years, single-family residences unless owned by a real estate trust or a corporation. The bill sunsets after ten years and does not preempt any local rent control ordinances.

Status: Chapter 597, Statutes of 2019

AB-1497 (Holden) - Hosting platforms.

This bill makes people who offer their property for short-term rental through online platforms subject to the California Fair Employment and Housing Act, thus prohibiting such "hosts" from discriminating on the basis of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or genetic information.

Status: Chapter 599, Statutes of 2019

AB-1561 (Cristina Garcia) - Planning and zoning: housing element.

As it came before this Committee, this bill would have required local planning agencies to analyze the civil rights impacts of any government constraints on the maintenance, improvement, or development of housing when updating the Housing Elements of their General Plan. This bill was subsequently gutted and amended to address unrelated subjects.

Status: In the Senate Rules Committee

AB-1731 (Boerner Horvath) - Short-term rentals: coastal zone: County of San Diego.

This bill prohibits online hosting platforms, such as Airbnb, VRBO, and HomeAway, from making residential properties in urban parts of coastal San Diego County available as short-term rentals for more than 30 days out of the year, unless the primary resident lives onsite full-time. The bill also requires hosting platforms to collect transitory occupancy taxes and remit those taxes to the corresponding jurisdiction. The bill sunsets after three years and includes a provision for evaluation of its effects.

Status: In Senate Governance and Finance Committee

AB-1795 (Kamlager-Dove) - Civil actions: unlawful detainer: court records.

This bill requires a landlord to notify the court when proceeding with an eviction under the Ellis Act and directs the court to limit public access to the resulting court case file.

Status: In Senate Judiciary Committee

IMMIGRANT RIGHTS

SB-225 (Durazo) - Citizens of the state.

This bill allows all California residents to serve on appointed government boards and commissions, regardless of citizenship or immigration status. Additionally, the bill eliminates unconstitutional components of the existing statutory definition for California state citizenship.

Status: Chapter 790, Statutes of 2019

SB-318 (Hertzberg) - Consumer protections: contracts and agreements to finance or secure a bail bond or immigration bond.

This bill clarifies that the California Consumer Legal Remedies Act, Contract Translation Act, Rosenthal Fair Debt Collections Practices Act, and Consumer Credit Contract notice provisions apply to bail bond and immigration bonds.

Status: Failed passage in the Assembly Insurance Committee

SB-622 (Durazo) - Civil detention facilities.

This bill would have created a protocol a detention facility must follow when an individual in civil detention dies in the facility. This bill would have required that the state Department of Justice be notified of the death, be allowed access into the facility to open an investigation into the cause and circumstances of the death, and make a public report of the investigation. In his veto message, the Governor expressed his concern that the bill's "goal of providing for state investigations of deaths of individuals under federal custody will not be achieved." The Governor noted how the Trump Administration "has weaponized our immigration and detention systems for political gain, demonizing migrants and asylum seekers and instilling fear in immigrant communities." He acknowledged the "deplorable living conditions, disease outbreaks and human rights abuses in these detention centers." The Governor stated that this "is why California is leading by prohibiting private, for-profit prisons and detention facilities." He further explained that he believes "that closing these facilities needs to be our focus as it is the best way to address these injustices."

Status: Vetoed by the Governor

AB-32 (Bonta) - Detention facilities: private, for-profit administration services.

In line with California's interest in ensuring the safety and welfare of its residents, this bill abolishes the private, for-profit prison industry in order to protect incarcerated individuals from serious harm within our state.

Status: Chapter 739, Statutes of 2019

AB-1747 (Gonzalez) - Law enforcement: immigration.

This bill prohibits use of information in the California Law Enforcement Telecommunication System (CLETS), other than criminal history information, for

immigration enforcement purposes. Beginning July 1, 2021, the bill also requires any inquiry for information other than criminal history information submitted through CLETS to include a reason for the initiation of the inquiry and authorizes the Attorney General to monitor compliance.

Status: Chapter 789, Statutes of 2019

AB-1753 (Carrillo) - Immigration consultants.

This bill, on and after January 1, 2021, makes it unlawful for a person, other than a person authorized to practice law in this state, a person authorized to represent others under federal law in an immigration matter, or a supervised paralegal, to provide advice or services related to any immigration matter or to hold themselves out as an immigration consultant or as a person authorized to provide advice in immigration matters for compensation. This bill also brings California law in line with longstanding federal law designed to protect consumers in immigration matters.

Status: In the Senate Appropriations Committee

AJR-9 (Cristina Garcia) - Immigration enforcement tactics.

This resolution makes findings about ruses and other predatory tactics used by United States Immigration and Customs Enforcement (ICE) and how they create an atmosphere of distrust between state residents, their employers, and various official agencies and institutions. It calls upon the federal government to cease the unjust detention of undocumented immigrants, end blanket raids against individuals thought to be without documents, and adopt a standard uniform for ICE officers that clearly identifies them as ICE when operating in California.

Status: Resolution Chapter 104, Statutes of 2019

AJR-11 (Carrillo) - Immigration: Development, Relief, and Education for Alien Minors Act: Deferred Action for Childhood Arrivals: Deferred Enforced Departure: Temporary Protected Status.

This resolution makes a series of declarations regarding the Deferred Action for Childhood Arrivals, Deferred Enforced Departure, and Temporary Protected Status programs, each of which allows certain immigrants to live and work in the United States, but on an interim basis only. The resolution then goes on to urge the federal government to enact legislation that would provide permanent legal status for individuals in these programs.

Status: Resolution Chapter 136, Statutes of 2019.

AJR-19 (Gloria) - Refugees.

This resolution makes a series of findings and declarations regarding refugees, the U.S. refugee resettlement program, and the positive contribution to California made by refugees who have resettled here. The resolution urges the federal government to meet its current refugee resettlement commitment and to expand the size of that commitment next year.

Status: Resolution Chapter 183, Statutes of 2019

MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS

SB-377 (McGuire) - Juveniles: psychotropic medications: medical records.

This bill requires the State Department of Social Services to convene a working group consisting of the Judicial Council, the Medical Board of California (MBC), the County Welfare Directors Association of California, the Chief Probation Officers of California, and groups representing foster children, dependency counsel, and children's advocates to consider various options for seeking authorization from a dependent child, a ward, or their attorney, for release of the dependent child's or ward's medical information regarding psychotropic medication by January 1, 2020. This bill requires the Judicial Council, by September 1, 2020, to develop a request for authorization form for a ward or dependent child or their attorney to provide authorization for the MBC to review the ward or dependent child's medical information to determine whether there is excessive prescribing of psychotropic medication inconsistent with the standard of care. The bill requires that any medical information obtained by the MBC or its representative be sealed if the medical information is admitted as an exhibit in a specified administrative hearing.

Status: Chapter 547, Statutes of 2019

AB-175 (Gipson) - Foster care: rights.

This bill reorganizes, clarifies, and expands the Foster Youth Bill of Rights (FYBR). The bill also requires the State Foster Care Ombudsperson to provide trainings and assistance to stakeholders and to recommend FYBR updates to the Legislature.

Status: Chapter 416, Statutes of 2019

AB-531 (Friedman) - Foster youth: housing.

This bill increases the housing options available for youth in the extended foster care system. In broad strokes, the bill: (1) enables more families to provide transitional care and provide more placement stability for nonminor dependents (NMDs); (2) streamlines the supervised independent living process; (3) allows certain approved caregivers of youth in extended foster care to convert to a host family without additional certification; (4) requires counties to examine their ability to meet the emergency housing needs of NMDs; and (5) allows counties, upon appropriation in the annual Budget Act, to request funds for the purpose of providing housing navigation services to youth.

Status: In the Senate Appropriations Committee

AB-686 (Waldron) - Indian children.

This bill: (1) requires the Judicial Council of California to adopt a rule of court to allow for remote appearance by an Indian child's tribe in the child's dependency court proceedings, and (2) clarifies certain requirements relating to the out-of-home placement of such children.

Status: Chapter 434, Statutes of 2019

AB-718 (Eggman) - Dependent children: documents.

Existing law requires that a dependent youth who is between the ages of 18 and 21 be provided with certain information, documents, and services to facilitate the youth's transition to living independently. This bill initiates that process when the youth turns 16.

Status: Chapter 438, Statutes of 2019

AB-728 (Santiago) - Homeless multidisciplinary personnel teams.

This bill, until 2025, creates a pilot program in seven counties that expands existing provisions governing homeless adult and family multidisciplinary personnel teams, the members of which are authorized to share the personal information of individuals they intend to serve. Those provisions currently apply to homeless adults. This bill additionally applies the provisions to individuals at risk of homelessness.

Status: Chapter 337, Statutes of 2019

AB-748 (Gipson) - Nonminor dependents.

This bill provides that youth who were subject to an order for foster care before they reached 18 years of age, but were not yet adjudged dependents of the juvenile court before reaching their 18th birthday, are eligible for extended foster care benefits.

Status: Chapter 682, Statutes of 2019

AB-859 (Maienschein) - Juveniles: dependency: judicial caseloads.

This bill would have required the Department of Social Services (DSS), in consultation with the Judicial Council, to convene a stakeholder group that includes county counsel, a nonprofit comprised of former foster youth, representatives of dependency counsel, and other stakeholders designated by the DSS, in order to make recommendations related to juvenile dependency proceedings. Governor Newsom vetoed the bill, stating: "While I support the goal of this bill, it duplicates the purpose and efforts of the existing Child Welfare Council."

Status: Vetoed by the Governor

AB-861 (Chen) - Juveniles.

This bill, for children who are homeless or have previously been involved with the juvenile dependency system, expedites an existing process for requesting a social worker to petition the juvenile court to assert jurisdiction over the child, and, if the social worker declines to do so, provides a process for appealing that decision to the court.

Status: In the Senate Appropriations Committee

AB-1068 (Cooley) - Juveniles: dependency: child and family teams.

This bill adds procedural formalities to provisions governing child and family teams (CFTs) to provide oversight, ensure meaningful participation, and protect confidential information. Specifically, the bill: (1) alters the definition of CFT to apply to a convening of all or some members; (2) requires that certain social worker and court-appointed advocate reports to the court include specified information; (3) provides that the attachment of a copy of the CFT meeting summary report or action plan may be included in certain court reports; (4) requires that notification be provided to the certain team members; and (5) requires that CFT meetings include a foster youth's court-appointed educational rights holder under certain circumstances.

Status: Chapter 780, Statutes of 2019

AB-1301 (Cooley) - Child welfare: adoption.

This bill makes certain changes relating to the control, amount, and use of funds earmarked to reimburse private adoption agencies for the costs of assisting certain children and nonminors in obtaining adoptive placement. Specifically, the bill gives counties, instead of the state, direct control over the funds, lowers the cap on

reimbursements, and enables counties to spend the surplus for activities related to placement.

Status: Chapter 827, Statutes of 2019

MISCELLANEOUS

SB-223 (Hill) - Pupil health: administration of medicinal cannabis: schoolsites.

This bill, known as Jojo's Act, authorizes the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive, to adopt a policy that allows a parent or guardian of a pupil to possess and administer non-smokeable and non-vapeable medicinal cannabis to the authorized pupil at a schoolsite.

Status: Chapter 699, Statutes of 2019

SJR-2 (Umberg) - The President's National Emergency Declaration.

This resolution urges the United States Congress to stand in unity and override the President's veto of House Joint Resolution 46 and, if not possible, to consider overriding the declaration of national emergency within six months or at the earliest possible time pursuant to the National Emergencies Act. This resolution also urges the President to reconsider his motives and decision and allow military, defense, and counterdrug funds to be used for the purposes for which they are needed and for which they were made available.

Status: Resolution Chapter 66, Statutes of 2019

AB-17 (Salas) - Elections: vote by mail ballots.

This bill prohibits an employer from requiring or requesting an employee to bring their vote-by-mail (VBM) ballot to work or to vote their VBM ballot at work. A violation of these provisions subjects a person to a civil fine of up to \$10,000 per election.

Status: Chapter 223, Statutes of 2019

AB-991 (Gallagher) – Maintenance of the Codes.

This bill is the annual maintenance of the codes bill. Each year, the Office of Legislative Counsel identifies grammatical errors and other errors of a technical nature that have been inadvertently enacted into statutory law. The annual maintenance of the codes bill is the vehicle for implementing these wholesale corrections. In order to be included in the measure, the change must be technical only and may not affect or enact substantive law.

Status: Chapter 497, Statutes of 2019

AB-1270 (Mark Stone) - False Claims Act.

The California False Claims Act (CFCA) is a whistleblower statute designed to protect public funds. The CFCA establishes liability to the state for persons who commit certain enumerated acts relating to false claims submitted to the state. It provides for treble damages and civil penalties, contains a qui tam provision, and whistleblower protections. This bill clarifies existing law with regard to the CFCA and expands the provisions of the CFCA to claims, records, or statements made under the Revenue and Taxation Code if specified conditions are met.

Status: In the Senate Appropriations Committee

AB-1320 (Nazarian) - Public employee retirement systems: prohibited investments: Turkey.

This bill provides that the California Public Employees' Retirement System and State Teachers' Retirement System shall not make additional or new investments or renew existing investments of public employee retirement funds in any investment vehicle in the government of Turkey, that meets specified criteria, upon passage of a federal law imposing sanctions on the government of Turkey for failure to officially acknowledge its responsibility for the Armenian Genocide.

Status: Chapter 459, Statutes of 2019

AB-1576 (Calderon) - Secretary of Government Operations: working group: technology.

This bill provides for the creation of an advisory working group to report on specified issues relating to the use of artificial intelligence by California-based businesses.

Status: In the Senate Appropriations Committee

AJR-16 (Luz Rivas) - Armenian Genocide.

This resolution commemorates the Armenian Genocide and calls upon the United States President and Congress to formally and consistently recognize the genocide.

Status: Resolution Chapter 150, Statutes of 2019

MORTGAGES

SB-18 (Skinner) - Keep Californians Housed Act.

This bill indefinitely extends state protections for tenants whose landlord goes into foreclosure. Those protections give such tenants the right to remain for the duration of any pre-existing fixed-term lease, except in specified circumstances, and require post-foreclosure owners to provide 90 days advance notice before terminating any pre-existing month-to-month tenancy.

Status: Chapter 134, Statutes of 2019

SB-306 (Morrell) - Mortgages and deeds of trust: substitutions.

This bill gives authority to mortgage trustees to resign from that role or to refuse appointment to that role, sets forth procedures for a mortgage trustee to follow when resigning or refusing appointment, and explains the effect of the resignation or refusal. This bill also requires the trust beneficiary to appoint a trustee if one is not designated in the deed, and to appoint a successor trustee upon the resignation, incapacity, disability, absence, or death of the prior trustee.

Status: Chapter 474, Statutes of 2019

AB-1106 (Smith) - Los Angeles County: notice of recordation.

This bill extends authorization to Los Angeles County to operate its Homeowner Notification Program for an additional 10 years, should it elect to do so. The program is designed to combat fraud by alerting people and providing them with advice when

documents are recorded against the property they own or reside in.

Status: Chapter 165, Statutes of 2019

AB-1384 (O'Donnell) - Consumer loans: definition.

This bill defines a “consumer credit transaction,” for purposes of California’s Covered Loan Law, as a loan made to a natural person in which the money loaned is primarily for personal, family, or household purposes. It thus excludes loans made for business purposes from the Covered Loan Law.

Status: In the Senate Judiciary Committee

PRIVACY

SB-371 (Caballero) - Schoolbuses: stop requirements.

This bill authorizes school districts to install automated schoolbus video enforcement systems for schoolbus passing violations.

Status: In the Senate Appropriations Committee

SB-561 (Jackson) - California Consumer Privacy Act of 2018: consumer remedies.

This bill amends the public and consumer enforcement mechanisms in the California Consumer Privacy Act (CCPA). The bill also authorizes the Attorney General to provide general guidance on compliance with the CCPA.

Status: In the Senate Appropriations Committee

SB-564 (Leyva) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances. The bill provides specified remedies and allows for the plaintiff in such cases to proceed using a pseudonym.

Status: In the Senate Appropriations Committee

SB-591 (Galgiani) - Incarcerated persons: health records.

This bill requires that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

Status: Chapter 649, Statutes of 2019

SB-753 (Stern) - California Consumer Privacy Act: definition of sale: advertisement service exception.

This bill amends the definition of “sell,” “selling,” “sale,” or “sold” in the California Consumer Privacy Act to exclude certain advertising practices, including those in which a business shares, discloses, or otherwise communicates to another business or third party certain consumer information to the extent necessary to serve or audit a specific advertisement to the consumer. With this bill, consumers no longer have the ability to opt-out of such sales of their information.

Status: In the Senate Judiciary Committee

AB-25 (Chau) - California Consumer Privacy Act of 2018.

This bill authorizes a business to require authentication of consumers in connection with requests made pursuant to the California Consumer Privacy Act (CCPA) and allows a business to require requests to be made through an existing account. This bill exempts certain personal information collected by business employers from the scope of the CCPA until January 1, 2021, except as provided.

Status: Chapter 763, Statutes of 2019

AB-384 (Chau) - Information privacy: digital health feedback systems.

This bill makes a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual.

Status: In the Senate Appropriations Committee

AB-523 (Irwin) - Telecommunications: customer right of privacy.

This bill generally prohibits a wireless provider from disclosing a subscriber's cell site location information without first obtaining their express written consent.

Status: Senate Inactive File

AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or deepfakes.

Status: Chapter 491, Statutes of 2019

AB-728 (Santiago) - Homeless multidisciplinary personnel teams.

This bill, until 2025, creates a pilot program in seven counties that expands existing provisions governing homeless adult and family multidisciplinary personnel teams, the members of which are authorized to share the personal information of individuals they intend to serve. Those provisions currently apply to homeless adults. This bill additionally applies the provisions to individuals at risk of homelessness.

Status: Chapter 337, Statutes of 2019

AB-846 (Burke) - Customer loyalty programs.

This bill provides that the California Consumer Privacy Act does not prohibit a business from offering a different price, rate, level, or quality of goods or services to a consumer, including offering them for no fee, if the offering is in connection with a loyalty or rewards program. The sale of information collected in connection with these programs is restricted except for a narrow exception for eligibility determinations.

Status: Senate Inactive File

AB-873 (Irwin) - California Consumer Privacy Act of 2018.

This bill amends the definitions of "personal information" and "deidentified" for purposes of the California Consumer Privacy Act (CCPA). The change to the latter definition removes information that can relate to, describe, and that is capable of being associated

with a particular consumer from the definition of personal information, so long as it meets certain other guidelines, and therefore removes the CCPA's protections of this information and consumers' access to and control over it.

Status: Failed passage in the Senate Judiciary Committee, reconsideration granted

AB-874 (Irwin) - California Consumer Privacy Act of 2018.

This bill amends the definitions of "personal information" and "publicly available" for purposes of the California Consumer Privacy Act. The bill amends the exclusions from the definition of personal information by redefining what is considered publicly available, namely eliminating the provision that provides that information is not publicly available if that data is used for a purpose that is not compatible with the purpose for which the data is maintained and made available in the government records, or for which it is publicly maintained. The bill also narrows the definition of what is personal information to include only information that is reasonably capable of being associated with a consumer or household and making it clear that personal information does not include consumer information that is deidentified or aggregate consumer information.

Status: Chapter 748, Statutes of 2019

AB-1130 (Levine) - Personal information: data breaches.

This bill updates the definition of "personal information" in various consumer protection statutes to include certain government identification numbers and biometric data. Current law requires businesses that own, license, or maintain personal information to implement and maintain reasonable security procedures and practices to protect that information. In addition, California's data breach notification statutes require government agencies, persons, and businesses to provide residents with specified notices in the wake of breaches of residents' personal information. This bill expands the definition of personal information in each of those statutes to include certain additional information that is particularly sensitive but not currently explicitly included in these statutes, including biometric data and certain identification numbers.

Status: Chapter 750, Statutes of 2019

AB-1142 (Friedman) - Regional transportation plans: transportation network companies.

This bill seeks to address the impacts of transportation network companies (TNC) on transportation planning and environmental goals. The bill requires the Public Utilities Commission to consider the needs of various entities in its determination of what TNC data should be shared in commission Rulemaking 12-12-011, Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

Status: In the Senate Appropriations Committee

AB-1146 (Berman) - California Consumer Privacy Act of 2018: exemptions: vehicle information.

This bill narrowly limits the California Consumer Privacy Act's opt-out and deletion rights with respect to vehicle information in order to facilitate prompt and effective recalls and warranty work. In response to concerns about the interplay of these rights to delete or restrict sales of certain data and existing processes for effectuating warranty and recall notices, this bill exempts certain vehicle and ownership information from the scope of

the opt-out rights and to prevent consumers from seeking the deletion of information that is necessary to fulfill the terms of a written warranty or recall.

Status: Chapter 751, Statutes of 2019

AB-1202 (Chau) - Privacy: data brokers.

A data broker is defined as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship. This bill requires data brokers to register with, and pay a registration fee, to the Attorney General on an annual basis. It requires the Attorney General to make this information available to the public in a registry on its website.

Status: Chapter 753, Statutes of 2019

AB-1281 (Chau) - Privacy: facial recognition technology: disclosure.

This bill requires businesses to disclose when they are using facial recognition technology in a clear and conspicuous, physical sign at the entrance of every location that uses the technology. The bill requires the sign to include information about where an individual can find more information about the purposes for which the business uses facial recognition technology. The bill subjects businesses in violation to civil penalties.

Status: Senate Inactive File

AB-1355 (Chau) - Personal information.

This bill makes a number of amendments to the California Consumer Privacy Act (CCPA). It clarifies that a business' online privacy policy or website must disclose a consumer has the right to request the specific pieces of personal information the business has collected about that consumer and that a business must disclose the categories of personal information sold to each category of third party. The bill requires a business to get affirmative authorization from a consumer who is at least 13 years of age and less than 16 years of age before selling the consumer's information. The bill clarifies that personal information does not include consumer information that is deidentified or aggregate consumer information. It further makes clear that the CCPA does not require a business to collect or retain personal information that it would not otherwise collect or retain in the ordinary course of business. The bill expands the exemption relating to the Fair Credit Reporting Act.

The bill exempts from various provisions of the CCPA personal information reflecting communications or transactions between a business and a consumer, where the latter is acting in their capacity as an employee, owner, director, officer, or contractor of a specific entity. This provision only applies until January 1, 2021. The bill amends the private right of action provided in the CCPA to apply only to personal information that is nonencrypted and nonredacted. It also authorizes the Attorney General to adopt additional regulations to establish rules and procedures on dealing with consumer requests for information relating to a household.

The bill makes a series of other technical, corrective, and clarifying amendments.

Status: Chapter 757, Statutes of 2019

AB-1395 (Cunningham) - Information privacy: other connected device with a voice recognition feature.

This bill provides certain limitations on the use of voice recognition features in connection with smart speaker devices and any transcripts or recordings collected or retained in connection with that use.

Status: In the Senate Judiciary Committee

AB-1416 (Cooley) - Business: collection and disclosures of consumer personal information.

This bill creates new exemptions to the California Consumer Privacy Act (CCPA) that provide that the obligations imposed on businesses by the CCPA shall not restrict a business' ability to engage in certain practices.

Status: In the Senate Judiciary Committee

AB-1564 (Berman) - Consumer privacy: consumer request for disclosure methods.

This bill provides that a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to the California Consumer Privacy Act.

Status: Chapter 759, Statutes of 2019

AB-1665 (Chau) - The Parent's Accountability and Child Protection Act.

This bill places certain requirements on the process by which persons and businesses are to obtain consent to sell a minor's personal information. It requires certain operators of social media websites or applications to obtain consent to sell a minor's personal information in a process that is separate from the website or application's general terms and conditions before the minor's personal information can be sold. It further prohibits the website or application from obtaining parental consent through the minor. In order to avoid discriminatory or coercive practices, the failure of a parent to grant consent for the sale of the minor's information cannot result in the minor being blocked from accessing the website or application.

Status: Senate Inactive File

AB-1747 (Gonzalez) - Law enforcement: immigration.

This bill prohibits use of information in the California Law Enforcement Telecommunication System (CLETS), other than criminal history information, for immigration enforcement purposes. Beginning July 1, 2021, the bill also requires any inquiry for information other than criminal history information submitted through CLETS to include a reason for the initiation of the inquiry and authorizes the Attorney General to monitor compliance.

Status: Chapter 789, Statutes of 2019

AB-1782 (Chau) - Automated license plate recognition information: usage and privacy policy.

This bill requires those operating automated license plate recognition (ALPR) systems and those accessing or using ALPR data to have policies that include procedures to ensure nonanonymized ALPR information is timely destroyed, except as specified, and

that all ALPR information that is shared is anonymized.

Status: In the Senate Judiciary Committee

PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS, AND GUARDIANSHIPS

SB-40 (Wiener) - Conservatorship: serious mental illness and substance use disorders.

This bill amends a pilot program that, for participating counties, establishes a conservatorship procedure applicable to individuals who are incapable of caring for their own health and well-being due to a serious mental illness and substance use disorder. In broad strokes, this bill: (1) compresses the timeframes for the conservatorship, including changing the one-year conservatorship to a six-month conservatorship; (2) makes a prerequisite of that conservatorship a 28-day temporary conservatorship; (3) makes the trigger-point for the temporary conservatorship the person's eighth 72-hour involuntary detention in a 12-month period; (4) provides that the establishment of a conservatorship is subject to a judicial determination regarding the person's eligibility for assisted outpatient treatment; and (5) establishes additional protections to ensure that the conservatorship scheme is more narrowly drawn.

Status: Chapter 467, Statutes of 2019

SB-303 (Wieckowski) - Guardians and conservators.

This bill imposes a higher standard for the sale of a conservatee's personal residence and limits the amount of compensation that may be paid to a guardian, conservator, or attorney from a ward's or conservatee's government benefits.

Status: Chapter 847, Statutes of 2019

SB-308 (Jones) - Estates and trusts: instrument.

This bill revises the definition of "instrument" under the Probate Code to clarify that a "trust" is a written document or a modification thereof.

Status: Chapter 56, Statutes of 2019

SB-590 (Stone) - Mental health evaluations: gravely disabled due to impairment by chronic alcoholism.

Existing law, for purposes of imposing a conservatorship on an individual, establishes a process for obtaining a court order to subject the individual to an evaluation to determine if they are gravely disabled due to a mental illness or controlled substance use disorder. This extends that process to individuals alleged to be gravely disabled due to chronic alcoholism.

Status: In the Assembly Appropriations Committee

AB-327 (Maienschein) - Estates and trusts: at-death transfers.

This bill provides that a spousal at-death transfer, that is conveyed by will, revocable trust, beneficiary form, or other instrument, is not subject to a presumption of undue influence under a Family Code provision applicable to interspousal contracts.

Status: Chapter 43, Statutes of 2019

AB-328 (Maienschein) - Estates and trusts: undue influence.

This bill presumptively renders invalid donative transfers to caregivers who marry the dependent adult in their care, except in certain circumstances.

Status: Chapter 10, Statutes of 2019

AB-473 (Maienschein) - Disposition of estate without administration.

This bill: (1) increases the threshold value of small estates and portions of estates that may be administered outside of probate, and (2) decreases from 10 percent to seven percent the interest applicable if a recipient of property under these provisions must provide restitution to the rightful recipient of the property.

Status: Chapter 122, Statutes of 2019

REAL PROPERTY

SB-578 (Jones) - Vacation Ownership and Time-Share Act of 2004: incentives.

This bill authorizes, until January 1, 2023, persons subject to the Vacation Ownership and Time-Share Act of 2004 (VOTA) to offer to prospective purchasers temporary accommodations that are beyond a 20-mile radius away from the property on which a time-share interest is offered for sale, provided that: (1) the vendor gives prior written notice of the accommodation's location; (2) the purchasers acknowledge their consent; and (3) the vendor has not engaged in any one of a series of enumerated deceptive practices under VOTA. The bill also allows the use of third-party arbitration organizations other than the American Arbitration Association relating to the arbitration of various contractual issues under VOTA in accordance with existing provisions of law governing arbitration.

Status: Chapter 153, Statutes of 2019

AB-892 (Holden) - Transfers of real property: disclosures.

This bill clarifies and, in some instances, makes slight modifications to the laws governing the duties of the various actors involved in residential real estate transactions. Specifically, the bill: (1) clarifies the scope of disclosure and visual inspection requirements; (2) requires that multiple listing services retain certain property-related documents for three years; and (3) clarifies when the clock starts on the buyer's window to rescind an offer after receiving the transfer disclosure statement.

Status: Chapter 310, Statutes of 2019

TORT LIABILITY

SB-41 (Hertzberg) - Civil actions: damages.

This bill provides that estimations, measures, or calculations of past, present, or future damages for lost earnings or impaired earning capacity resulting from personal injury or wrongful death shall not be reduced based on race, ethnicity, or gender.

Status: Chapter 136, Statutes of 2019

SB-564 (Leyva) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances. The bill provides specified remedies and allows for the plaintiff in such cases to proceed using a pseudonym.

Status: In the Senate Appropriations Committee

AB-206 (Chiu) - Public nuisance: abatement: lead-based paint.

This bill immunizes property owners who voluntarily participate in lead paint abatement programs from associated liability. The bill prohibits such participation from being evidence of violations of specified housing statutes, but makes clear it does not alter existing obligations to maintain property or limit tenants' remedies for addressing the presence of lead paint.

Status: Chapter 171, Statutes of 2019

AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.

This bill extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; provides enhanced damages for a cover up of the assault; and provides a three-year window in which expired claims are revived.

Status: Chapter 861, Statutes of 2019

AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or deepfakes.

Status: Chapter 491, Statutes of 2019

AB-620 (Cooley) - Coroner: sudden unexplained death in childhood.

This bill requires a coroner to notify the parent or responsible adult of a child who has suffered a sudden unexplained death. The bill immunizes the coroner from civil liability for any act or omission in compliance with the bill's provisions.

Status: Chapter 614, Statutes of 2019

AB-743 (Eduardo Garcia) - Pupil health: self-administration of prescribed asthma medication.

This bill requires a school district to accept the statements of physicians and surgeons who are contracted with certain Mexican health plans in connection with the use of prescription inhaled asthma medication in schools. The bill immunizes school nurses, other school personnel, and school districts from specified liability in connection with a pupil self-administering inhaled asthma medication in accordance with such statements.

Status: Chapter 101, Statutes of 2019

AB-1116 (Grayson) - Firefighters: peer support.

This bill establishes the California Firefighter Peer Support and Crisis Referral Services Act. It provides restrictions on the disclosure of confidential communications between emergency services personnel and a peer support team member, or a crisis hotline or

crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

Status: Chapter 388, Statutes of 2019

AB-1117 (Grayson) - Peace officers: peer support.

This bill establishes the Law Enforcement Peer Support and Crisis Referral Services Program. It provides restrictions on the disclosure of confidential communications between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

Status: Chapter 621, Statutes of 2019

AB-1286 (Muratsuchi) - Shared mobility devices: agreements.

This bill places requirements on companies that provide shared mobility devices and the local authorities that allow such devices to be operated within their jurisdictions. This bill requires shared mobility service providers to enter into an agreement with or obtain a permit from the local jurisdiction in which the providers' devices are used. Such agreement or permit must require certain minimum levels of liability insurance and must require a prohibition on contractual provisions between providers and users by which the user limits their legal rights or remedies. The bill also requires cities and counties authorizing providers to operate within their jurisdictions to establish rules governing the operation, parking, and maintenance of these devices by ordinance, agreement, or permit terms.

Status: In the Senate Judiciary Committee

AB-1510 (Reyes) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.

This bill revives certain otherwise time-barred claims for damages arising from sexual assault and other inappropriate conduct of a sexual nature. This bill amends the definitions and scope of the statute of limitations applying to sexual assault claims. The statute of limitations for damages arising from a sexual assault that occurred when the victim was an adult is 10 years from the date of the last actionable conduct or three years from the discovery of the injury resulting. Partially in response to the allegations against Dr. George Tyndall and the University of Southern California, this bill revives a specific set of claims that would otherwise be time-barred because of the applicable statute of limitations arising out of sexual assault or other inappropriate sexual conduct for one year starting January 1, 2020.

Status: Chapter 462, Statutes of 2019

AB-1544 (Gipson) - Community Paramedicine or Triage to Alternate Destination Act.

This bill enacts the Community Paramedicine or Triage to Alternate Destination Act of 2019. The bill authorizes local emergency medical services agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties. It makes clear that existing liability limitations apply to the bill's provisions.

Status: Senate Inactive File